

Sub: Proposal for diversion of 48.83 ha of forest land under Forest (Conservation) Act, 1980 in Rajnandgaon Circle, Rajnandgaon for construction of Markatola Tank in favour of Water Resources Department, Rajnandgaon in Rajnandgaon District in the State of Chhattisgarh.

1. The State Government of Chhattisgarh vide their letter No. F-5-6/2018/10-2 dated 21.03.2018 submitted the above mentioned proposal seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.
2. The facts related to the proposal as contained in the State Government's letter dated 21.03.2018 are given below in the form of fact sheet:

FACT SHEET

1.	Name of the Proposal	Proposal for diversion of 48.83 ha of forest land under Forest (Conservation) Act, 1980 in Rajnandgaon Circle, Rajnandgaon for construction of Markatola Tank in favour of Water Resources Department, Rajnandgaon in Rajnandgaon District in the State of Chhattisgarh.
2.	Location (i) State (ii) District	Chhattisgarh Rajnandgaon
3.	Particulars of Forests: (i) Name of Forest Division and Forest area involved. (ii) Legal status/Sy.No.	Rajnandgaon Forest Division 48.83 ha Protected Forest Land
4.	Vulnerability to erosion	Not prone to erosion
5.	(i) Vegetation (ii) Density (iii) No. of trees enumerated/to be actually felled	Not given 0.5, Site quality-V 7910 trees
6.	Whether area is significant from wildlife point of view	No
7.	Whether forms part of National park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. (if so, details of the area and comments of the Chief Wildlife Warden)	No
8.	Whether any RET species of flora and fauna are found in the area. If so details thereof	No
9.	Approximate distance of the proposed site for diversion from boundary of forest.	Proposed area is within the forest compartment
10.	Whether any protected archaeological/ heritage site/defence establishment or any other important monuments is located in the area.	No
11.	Whether any work in violation of the Forest (Conservation) Act, 1980 has been carried out (Yes/No). If yes details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress.	No
12.	Whether the requirement of forest land as proposed by the user agency in col. 2 of Part-I is unavoidable and barest minimum for the project,	Yes

	if no recommended area item-wise with details of alternatives examined.	
13.	Whether clearance under the Environment (protection) Act, 1986 is required?	Yes, Not obtained by the user agency
14.	Compensatory Afforestation	It is mentioned that the instant proposal has no exemption for compensatory afforestation
	(i) Details of non-forest area/degraded forest area identified for CA, its distance from adjoining forest, number of patches, size of each patches.	Nothing is mentioned about CA in Part-II of the form A. However, in the forwarding letter it is mentioned that the Compensatory Afforestation has been identified over 102.237 ha. (92.237 ha. in vill. Parevadeeh and 10.00 ha in village Manhora) in double Orange forest land (Pg-01-02/c)
	(ii) Map showing non-forest/degraded forest area identified for CA and adjoining forest boundaries.	
	(iii) Detailed CA scheme including species to be planted, implementing agency, time schedule, cost structure, etc.	
	(iv) Total financial outlay for CA	
	(v) Certificate from the competent authority regarding suitability of the area identified for CA and from management point of view.	Certificate for suitability of CA land is given for 100 ha stating that the proposed CA land falls within forest boundary, suitable for plantation, and there is no encroachment. (Pg-73-74/c)
15.	Catchment Area Treatment	CAT plan is not given by the project proponent stating that there is not requirement (Pg. 79/c)
16.	Rehabilitation of Oustees a) No of families involved b) Category of families c) Details of rehabilitation plan	Nil NA NA
17.	Employment likely to be generated a) Whether the project is likely to generate employment b) Permanent/ Regular Employment (Number of person) c) Temporary Employment (Number of person-days)	Yes 10 20
18.	Compliance of Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	FRA certificate is given (Pg-232/c). However, documentary evidences are not given.
19.	Site Inspection Report by CF	Pg-86-87/c
20.	Total period for which the forest land is proposed to be diverted (in years)	1 (One) year (Pg. 17/c)
21.	Cost Benefit Ratio	1:0.468 (pg-43/c). Cost benefit ratio has not been calculated as per latest guidelines dated 01.08.2017 issued vide this Ministry.
22.	Total Cost of the Project	Rs 1347.89 (Rupees in lakhs)
23.	Recommendation i. DFO	Proposal is recommended subject to following conditions: (Pg-26/c) i. The project proponent shall not violate the provisions of Indian Forest Act, 1927, Wildlife (Protection) Act, 1972, Forest Conservation Act, 1980 and Biodiversity Act, 2002. ii. Clearing of forest land shall not be done and breaking of forest land shall not be done. iii. No damage to the flora and fauna shall be caused.

	ii. CCF iii. PCCF/Nodal Officer iv State Government	iv. Environment shall not be polluted. v. Temporary road shall not be constructed in forest area. Recommended (Pg-88/c) Recommended (Pg-89/c) Recommended (Pg-90/c)
24.	District Profile (i) Total Geographical area of the district (ii) Total Forest area/ Divisional Forest area (iii) Total area diverted since 1980 (iv) Total CA stipulated since 1980 (Forest land) a. Forest land including penal CA b. Non Forest Land (v) Progress of Compensatory Afforestation a. Forest land b. Non Forest land	5378.94 Sq. Km. 1547.94 Sq. Km. 657.16 ha No No No No

3. The proposal pertains to requirement of forest land for construction of water tank by water resource department
4. It is proposed that the density of the protected forest is 0.5 and site quality is V.
5. It is reported that area is not significant from wild life point of view
6. It is reported that it does not forms part of National park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc.
7. It is reported that there is no protected archaeological/ heritage site/defence establishment or any other important monuments is located in the area
8. No work in violation of FCA 1980 has been carried out in the area.
9. Compensatory afforestation has been reported to have been proposed over 102.237 ha of Orange Forest Land.
10. Cost benefit ratio has not been calculated as per latest guidelines dated 01.08.2017 issued by MoEF&CC.
11. DFO had recommended the proposal subject to following conditions:
 - a) The project proponent shall not violate the provisions of Indian Forest Act, 1927, Wildlife (Protection) Act, 1972, Forest Conservation Act, 1980 and Biodiversity Act, 2002.
 - b) Clearing of forest land shall not be done and breaking of forest land shall not be done
 - c) No damage to the flora and fauna shall be caused.
 - d) Environment shall not be polluted.
 - e) Temporary road shall not be constructed in forest area.
12. The proposal is recommended by CCF, PCCF/Nodal and state government.
13. The said proposal was considered by the **FAC in its meeting held on 17.05.2018 and recommended** that the proposal may be submitted after receiving the reply on the following points:
 - (i) Compensatory afforestation is proposed over 100 ha of Orange Forest land in lieu of forest area sought for diversion. On analysis on DSS it is observed that some compartment of the proposed CA area is falling in protected Forest. Since present proposal is a state government project, double degraded forest area for CA cannot be accepted and need reverification. State government shall revise the CA scheme and the area proposed for CA plantation and submit it along with DSS analysis report for consideration of FAC.
 - (ii) Detail land use plan of the proposed area is not given. State government shall submit land use plan.
 - (iii) As per enumeration list of trees to be felled submitted by state government it is observed that 7910 trees are to be felled but in DFO recommendation it is reported that cleaning of forest and breaking of land shall not be done. This recommendation of DFO may be clarified.
 - (iv) As per description provided in the proposal it is mentioned that the total period for which forest land is proposed for diversion is only for one year. This detail need further clarification from state government
 - (v) State government shall submit cost benefit analysis as per latest guidelines dated 01.08.2017 issued by MoEF&CC.

14. Accordingly, the State Government of Chhattisgarh vide this Ministry's letter dated 14.06.2018 (pg. 287-288/c) requested to provide the information as mentioned in para (13) above for further necessary action. The Nodal Officer (FCA), Government of Chhattisgarh vide their letter No. Bhu-Praband/sinchai/425-61/2219 dated 13.07.2018 (pg. 289-297/c) has submitted their reply.

The information sought by MoEF&CC and reply thereof given by the State Government are as below:

S. N.	Information sought by MoEF&CC	Reply submitted by the State Government																					
i	Compensatory afforestation is proposed over 100 ha of Orange Forest land in lieu of forest area sought for diversion. On analysis on DSS it is observed that some compartment of the proposed CA area is falling in protected Forest. Since present proposal is a State Government project, double degraded forest area for CA cannot be accepted and need reverification. State government shall revise the CA scheme and the area proposed for CA plantation and submit it along with DSS analysis report for consideration of FAC.	It is reported by the State Govt. that in lieu of diversion of 48.83 ha Forest land, the Collector Rajnandgaon vide his certificate dated 25.11.2017 has given no objection certificate for declaring 102.237 Ha. Revenue forest land (Orange Forest land) as Forest land but due to unsuitability of the revenue forest land for plantation work. The plantation work @ 1000 saplings per Hectare has been proposed over an area of 97.66 Ha in the compt. No. 702 & 704 of Protected Forest land in adherence of the guideline dated 08.11.2017 issued by the Govt. of India. It is also reported that the above matter had already been communicated by the State Govt. vide their letter No. F 5-6/2018/10-2 dated 21.03.2018 at point no. 6 during submission of proposal to this Ministry. Thus, the State Govt. has not revised the CA .																					
ii	Detail land use plan of the proposed area is not given. State government shall submit land use plan.	In this regard, it is reported by the State Government that the proposed diversion area has been completely taken for dam construction and detailed as submitted by the User agency (Pg. 291/c) are as follows: <table border="1" data-bbox="820 1055 1469 1335"> <thead> <tr> <th>S. No.</th> <th>Work</th> <th>Area (ha)</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>Left Bank Canal A</td> <td>0.851</td> </tr> <tr> <td>2.</td> <td>Left Bank Canal B</td> <td>0.629</td> </tr> <tr> <td>3.</td> <td>Approch Channel</td> <td>1.518</td> </tr> <tr> <td>4.</td> <td>Tank Bund And Submergance</td> <td>40.323</td> </tr> <tr> <td>5.</td> <td>Spill Channnel</td> <td>5.60</td> </tr> <tr> <td></td> <td>Total</td> <td>48.83</td> </tr> </tbody> </table>	S. No.	Work	Area (ha)	1.	Left Bank Canal A	0.851	2.	Left Bank Canal B	0.629	3.	Approch Channel	1.518	4.	Tank Bund And Submergance	40.323	5.	Spill Channnel	5.60		Total	48.83
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iii	As per enumeration list of trees to be felled submitted by state government it is observed that 7910 trees are to be felled but in DFO recommendation it is reported that cleaning of forest and breaking of land shall not be done. This recommendation of DFO may be clarified.	In this regard, it is reported by the State Government that the activities like cutting and clearing of trees and digging of land shall not be done in outside of the diverted forest area and nearby forest area.																					
iv	As per description provided in the proposal it is mentioned that the total period for which forest land is proposed for diversion is only for one year. This detail need further clarification from state government.	In this regard, it is reported by the State Government that after dam completion and till its existence the proposed diversion area shall be treated as deemed part of dam. The User agency has furnished undertaking in this regard (Pg. 292/c).																					
v	State government shall submit cost benefit analysis as per latest guidelines dated 01.08.2017 issued by MoEF&CC.	It is reported by the State Government that the Cost Benefit Analysis is given in the prescribed format and the cost benefit ratio is 1:0.468 (Pg. 293-297/c) .																					

15. The instant proposal of prospecting for chromite has also been analyzed by the DSS Cell of this division and their report may kindly see at F/X. The major observations are as under:

(a) **In Case of Land proposed for Diversion:** Calculated area of Shape file/ KML file of Forest land proposed for diversion is found 48.83 ha. As per DSS analyzed report, the proposed area for diversion has dense tree cover and same can be seen in High Resolution satellite imagery. There is no WLS/ PA/ Tiger Reserve or Tiger Corridor is located within 10 Km radius of proposed area for diversion.

(b) **In Case of Compensatory Afforestation Land:** Compensatory afforestation has been proposed over Protected Forest land & also over Non-forest/ Revenue land. CA has been provided in Four different patches falling under the Rajnandgaon district. Total area of proposed Compensatory afforestation land is found 198 ha. as detailed below:

Patch No.	Legal Status	Range	Compt No./ Khasra No.	Area (Ha)	VDF	MDF	OF	NF	Water
1	Protected Forest	Khujji	702	50	0	15	14	21	0
2	Protected Forest	Khujji	704	50	0	5	18	27	0
3	Revenue Land	Khujji	KH NO 141/1	88	0	46	12	30	0
4	Revenue Land	Khujji	KH NO 492/1	10	0	0	1	8	1
Total 198 ha is proposed for CA				198	0	66	45	86	1

As above, Out of total forest area proposed for CA, 66 ha of land is characterized with Moderately Dense Forest, 45 ha. of land as Open forest and 86 ha. of land as Non Forest in terms of forest classes (as per the ISFR 2015) based on the interpretation of satellite data period 2013-2014. As depicted through High resolution satellite imagery, encroachment of Agricultural land is visible inside Compt. No. 704 which is proposed for CA.

The above facts related to the proposal may be placed before FAC in its forthcoming meeting scheduled to be held on 30.05.2018 for examination and appropriate recommendation.
