

भारत सरकार
पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय
एकीकृत क्षेत्रीय कार्यालय,
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GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE
INTEGRATED REGIONAL OFFICE
ARANYA BHAWAN, NORTH BLOCK, SECTOR-19,
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F.No. FC-I/IROCH-05/2021/438

Date: 03/01/2022

To,

Principal Secretary (Forests),
Government of Chhattisgarh,
Forest Department, Mantralaya,
Mahanadi Bhavan, Nava Raipur, Atal Nagar (CG).

Sub: Diversion of 1.701 Ha. forest land in favour of PWD Bridge Raipur for construction of High Level Bridge Across Kajal Rever on Jawarra Road in Dhamtari District in the state of Chhattisgarh – regarding.

Sir,

Kindly refer to the State Government of Chhattisgarh's letter no. F-5-02/2021/10-2 dated 29.05.2021 on the above subject seeking prior approval of the Central Government under Section - 2 of the Forest (Conservation) Act, 1980 and Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh vide his letter no. क्र./भू -प्रबंध /विविध/115-707/132 dated 18.01.2021 and 09.04.2021. Additional information was provided by the State Government of Chhattisgarh's vide letter no. F-5-02/2021/10-2 dated 20.12.2021 and letter no. क्र./भू -प्रबंध /विविध/115-707/2937 dated 30.11.2021, as sought by the Integrated Regional Office, Raipur vide its letter dated 29.07.2021. It is to say that the said proposal has been examined by the Integrated Regional Office in light of relevant provisions of the Forest (Conservation) Act, 1980 and Rules and Guidelines framed thereunder.

After examination of the proposal and on the basis of recommendation of the State Government, the Central Government hereby accords '**In-Principle**' approval under Section -2 of the Forest (Conservation) Act, 1980 for diversion of 1.701 forest land in favour of PWD Bridge Raipur for construction of High Level Bridge Across Kajal Rever on Jawarra Road in Dhamtari District in the state of Chhattisgarh subject to the fulfilment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. **Compensatory afforestation;**
 - a. Compensatory afforestation on equal Revenue land of 1.71 Ha. Revenue Land non-forest in Khasra no. 223, at Village- Dabha, Tehsil- Magarlod, North Singpur Range, Dist.-Dhamtra, shall be raised and maintained by the State Forest Department at the cost of the User Agency;
 - b. The non-forest land shall be transferred and mutated in favour of the State Forest Department. The copy of the mutation shall be furnished to the IRO, Raipur.
- iii. 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;

iv. NPV;

- a. The State Government shall charge the Net Present Value (NPV) for the 1.701 ha forest area to be diverted under this proposal from the User Agency as per the orders 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 be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
- v. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal;
- vi. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- vii. The reclamation of quarry should be done under the supervision of the State Forest Department. The quarry shall be reclaimed and afforested completely before the project is closed;
- viii. Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes;
- ix. The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable;
- x. No tree cutting shall be permitted in the diverted forest land;
- xi. The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals;
- xii. No labour camp shall be established on the forest land;
- xiii. The User Agency shall provide fuels 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;
- xiv. The forest land shall not be used for any purpose other than that specified in the proposal;
- xv. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xvi. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- xvii. No damage to the flora and fauna of the adjoining area shall be caused;
- xviii. The State Government shall ensure that settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, have been completed in accordance with the relevant guidelines issued by the MoEF&CC in this regard;
- xix. The user agency shall submit the six monthly self-compliance report in respect of the above conditions as on 31st July and 31st January to the State Government and to the concerned Integrated Regional Office of the Ministry regularly;
- xx. The State shall also monitor the compliance of conditions of the Stage-I approval and an annual report on the same may be submitted to this office as on 31st December every year;
- xxi. 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;

- xxii. The User Agency and the State Government shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project;
- xxiii. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife;
- xxiv. Grant of working permission to the extant proposal may be considered by the State Government in accordance with the provisions as contained in the MoEF&CC's Guidelines dated 28.08.2015;
- xxv. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of a satisfactory compliance report from the State Government in respect of conditions no. (ii), (iii), (vii), (ix), (xi), (xviii), and undertakings, duly authenticated by the competent authority in the State Government, in respect of all other conditions, from the State Government, formal approval will be considered in this regard under Section-2 of the Forest (Conservation) Act, 1980.

Yours faithfully,

Chaturbhuja Behera
3/1/2022
Chaturbhuja Behera
Inspector General of Forests

Copy to:

1. The PCCF & HoFF, Government of Chhattisgarh, Sector-19, Aranya Bhavan, Atal Nagar, Nava Raipur (CG).
2. The Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh, Sector-19, Aranya Bhavan, Atal Nagar, Nava Raipur (CG).
3. Director (ROHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
4. User Agency.
5. Guard File.

Chaturbhuja Behera
3/1/2022
Chaturbhuja Behera
Inspector General of Forests