



F. No. FC-II/IROCH-06/2021 /301

Dated: 11.10.2021

To

The Principal Secretary (Forests),
Government of Chhattisgarh,
Forest Department,
Mantralaya, Mahanadi Bhavan,
New Raipur (CG).

Sub: Diversion of 15.40 ha forest land in favour of PMGSY, Korba for construction of CC road Hardibazar bypass, length 11.76 km (via Ratija, Renki, Bamhnikona, Saraishingar) under Forest (Conservation) Act, 1980, in Korba District in the state of Chhattisgarh.

Sir,

I am directed to refer to the State Government of Chhattisgarh's letter no. F-5-31/2020/10-2 dated 15.02.2021 on the above subject seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980 and Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh's vide letter no. *Bhu-Prabandh/Vividh/115-786/2011* dated 28.01.2021. Based on additional information provided by the State Government of Chhattisgarh's vide letter no. F-5-31/2020/10-2 dated 24.07.2021 and *Bhu-Prabandh/Vividh /115-786/1488* dated 08.07.2021, as desired by Regional Office letter of even number dated 31.05.2021, the said proposal has been examined and approved by the Regional Empowered Committee constituted under Section - 4 of the Forest (Conservation) Act, 1980.

After examination of the proposal of the State Government and on the basis of the approval of the proposal by the Regional Empowered Committee, the Central Government hereby accords '**In-Principle**' approval under Section - 2 of the Forest (Conservation) Act, 1980 for diversion of 15.40 ha of forest land in favour of PMGSY, Korba for construction of CC road Hardibazar bypass, length 11.76 km (via Ratija, Renki, Bamhnikona, Saraishingar) in Korba 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:**
Compensatory afforestation shall be taken up by the Forest Department over 31.00 ha Orange Area degraded forest land Compartment No. AO-778, Village- Kashaipali, Tehsil- Katghora, Range- Deepka, District- Korba at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided;
- 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 15.40 ha forest land being 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;
- 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, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred CAMPA through e-challan (<https://parivesh.nic.in/>) in the Savings Bank Account pertaining to the State concerned;
- vi. State Government shall take appropriate action against the violation as per the provisions of MoEF&CC's guideline dated 29.01.2018 and penal NPV shall be charged accordingly. A detail report in this regard shall be submitted along with the compliance report.
- vii. The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;
- viii. Speed regulating signage will be erected along the road at regular intervals in the Forest Areas;
- ix. 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.
- x. 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.
- xi. The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable;
- xii. 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.
- xiii. No labour camp shall be established on the forest land;
- xiv. 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;
- xv. The forest land shall not be used for any purpose other than that specified in the proposal;
- xvi. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- xvii. 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;
- xviii. No damage to the flora and fauna of the adjoining area shall be caused;
- xix. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xx. The User Agency shall submit six monthly self-compliance reports as on 1st January and 1st July of every year to this office as well as to the Nodal Officer of the State;

- xxi. The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year;
- xxii. Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- xxiii. 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;
- xxiv. 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) (iv), (vi), (vii), (x), (xii) and undertakings in respect of all other conditions, duly authenticated by the competent authority in the State Government, the proposal will be considered for grant of Stage-II approval under the Forest (Conservation) Act, 1980.

Yours faithfully,

Chaturbhuja Behera
Inspector General of Forests

Copy to:

1. The PCCF, Government of Chhattisgarh, Raipur
2. The Nodal Officer FCA), O/o of the PCCF, Government of Chhattisgarh, Raipur.
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
Inspector General of Forests