

भारत सरकार
पर्यावरण, वन और मंत्रालय
जलवायु परिवर्तन
एकीकृत क्षेत्रीय कार्यालय
अरण्य भवन, नार्थ ब्लॉक, सेक्टर-19, नवा
रायपुर, अटल नगर, छत्तीसगढ़ - 492002
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GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE
INTEGRATED REGIONAL OFFICE
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File No. FC-I/IROCH-10/2022/677

Date: 19-04-2022

To,

The Principal Secretary,
Govt. of Chhattisgarh, Forest Department,
Mantralaya, Mahanadi Bhavan,
Nava Raipur (CG) - 492001

Sub: Diversion of 0.2091 ha. of Forest land in favour of SBJ Projects Private Limited, proposal for construction of new road(User Agency has used this proposed land for crusher plant, the proposed forest land will be used for inward and outgoing material for his crusher unit)– regarding.

Sir,

Kindly refer to the State Government of Chhattisgarh's letter no. F-5-28/2021/10-2 dated 24.12.2021 on the above subject seeking prior approval of the Central Government under Section - 2 of the Forest (Conservation) Act, 1980. Additional information was provided by the State Government of Chhattisgarh's vide letter no. F-5-28/2021/10-2 dated 06.04.2022 and letter no. क्र./भू -प्रबंध /विविध/115-901/634 dated 23.03.2022, as sought by the Integrated Regional Office, Raipur vide its letter dated 02.02.2022. 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 0.2091 ha. of Forest land in favour of SBJ Projects Private Limited, proposal for construction of new road(User Agency has used this proposed land for crusher plant, the proposed forest land will be used for inward and outgoing material for his crusher unit) in Janjgir- Champa District in the state of Chhattisgarh subject to the fulfilment of the following conditions:

- i. Legal status of the forest land shall remain unchanged;
- ii. **Compensatory afforestation**
The State Forest Department shall undertake plantation of 10 times number of trees to be felled over degraded forest land as compensatory afforestation, in lieu of forest land being diverted at the cost of the User Agency;
- 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 0.2091 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. No tree cutting shall be permitted in the diverted forest land;
- vi. 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/>);
- vii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- viii. Strip plantations on both sides and central verge of the road as per the IRC norms shall be raised by the State Forest department by planting tall seedlings of 8-10 feet in height at the cost of User Agency, further; same shall be protected by chain linked fencing at least for initial three years of its growth. In forest patches, plantations of ornamental species should be avoided and preference shall be given to native forest tree species including fruit bearing tree species, like mango, banyan, tamarind, etc;
- ix. 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.
- x. The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.
- xi. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xii. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xiii. 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.
- xiv. No labour camp shall be established on the forest land;
- xv. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
- xvi. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;
- xvii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xviii. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
- xix. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xx. 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;
- 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. 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;

xxiii. The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in/>).

After receipt of a report on the compliance of conditions no ii, iii, iv (a), v, vi, viii, ix, xiv, 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,



Dr. D. Manjunatha, IFS

Deputy Inspector General of Forests
Integrated Regional Office, Raipur

19/04/2022

Copy to:

- i. The PCCF (HoFF), Government of Chhattisgarh, Aranya Bhawan, Sector-19, Nava Raipur, C.G.
- ii. The Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh, Aranya Bhawan, Sector-19, Nava Raipur, C.G.
- iii. User agency.
- iv. Guard file



Deputy Inspector General of Forests
Integrated Regional Office, Raipur

19/04/2022