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GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE
INTEGRATED REGIONAL OFFICE
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F. No. FC-I/IROCH-20/2023 /1369CA)

Date: 28/04/2023

To,

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

Sub: Diversion of Forest land for non-forest purpose under forest conservation Act, 1980 proposed for the rehabilitation and Upgrading of Dewari- Saldih- Gadphuljhar- Toshgaon- Toreshingha Road area - 2.767 ha. Mahasamund District in the State of Chhattisgarh- reg.

Sir,

Kindly refer the letter no. F-5-12/2022/10-2 dated 06.12.2022 of Government Chhattisgarh, on the above subject seeking prior approval of the Central Government under Section-2 (ii) of the Forest (Conservation) Act, 1980. Additional information was provided by the State Government of Chhattisgarh vide letter no. F 5-12/2022/10-2 dated 26.04.2023 as sought by Regional Office letter of even number dated 03.01.2023. 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 the recommendation of State Government, Chhattisgarh, the Central Government hereby accords 'In-principle' under Section -2 of the Forest (Conservation) Act, 1980 for diversion of Forest land for non-forest purpose under forest conservation Act, 1980 proposed for the rehabilitation and Upgrading of Dewari- Saldih- Gadphuljhar- Toshgaon- Toreshingha Road area - 2.767 ha. Mahasamund District in the State of Chhattisgarh subject to the fulfillment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. **Compensatory Afforestation:**
 - a) Compensatory afforestation shall be taken up by the Forest Department over **5.534 ha** Orange Area degraded forest land Compartment No. AO-469, Range- Bagbahra, District- Mahasamund 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;
 - b) The Orange Area degraded forest land Compartment No. AO-469 for proposed compensatory afforestation the State Forest Department shall be declared as Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act.
- 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 2.767 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, letter No. 5-2/2006-FC dated 03/10/2006, letter No. 5-3/2007-FC dated 05/02/2009 and letter No. 5-3/2011-FC(Vol-I) dated 06.01.2022 in this regard;
 - b) Additional amount of the NPV of the diverted forest land, if any, becomes 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. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- 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 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. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- ix. User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms;
- x. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;
- xi. To improve the Forest/Tree cover and to reduce pollution, as mandated in National Forest Policy, 1988 and Environmental (Protection) Act, 1986 respectively, the User Agency shall raise 7500 plants of forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous in the vicinity of project area preferably near the proposed road. A compliance report including species wise details of seedlings raised location of plantation area and details of villagers whom seedlings have been distributed need to be prepared every six month and submitted to Regional Office of MoEF&CC.
- xii. Width of right of way for the Road shall be limited to 14m;
- xiii. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xiv. The State Forest Department shall ensure that all proposed structures provide safe passage for the smooth movement of wildlife and cattle as suggested by the Wildlife Institute of India in manual entitled "Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wildlife, published in 2016 and as desired that KML file of the entire alignments highlighting the location of all structures (Culverts, Box culverts, and Slab Culverts etc.). should be submitted to the IRO, Raipur along with the Stage-I compliance report;
- xv. No labour camp shall be established on the forest land;
- xvi. 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;

- xvii. The forest land shall not be used for any purpose other than that specified in the proposal;
- xviii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xix. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xx. 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;
- xxi. 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.
- xxii. 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.
- 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. 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 condition no. ii, iii, iv (a), v, viii, ix, x, xi, 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,

Chaturbhuja Behera, IFS,
Inspector General of Forests.

Copy to:-

1. The Director (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi- 110003.
2. The PCCF (HoFF), Government of Chhattisgarh, AranyaBhawan, Sector-19, Nava Raipur, C.G
3. The Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh, Aryan Bhawan, Nawa Raipur, Chhattisgarh.
4. User agency.
5. Guard file

Chaturbhuja Behera, IFS,
Inspector General of Forests.