

भारत सरकार
पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय
एकीकृत क्षेत्रीय कार्यालय,
अरण्य भवन, नार्थ ब्लॉक,
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GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE
INTEGRATED REGIONAL OFFICE
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File No. FC-III/IROCH-05/2022/1285

Date: 02/03/2023

To,

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

Sub: Diversion of 157.035 ha of forest land under Forest Conservation Act, 1980 proposed for Construction of New BG electrified Railway line from Urga to Dharamjaygarh from Km 0 to Km 62 in Korba and Raigarh District in the state of Chhattisgarh.

Sir,

Kindly refer to the letter no. F-5-01/2022/10-2 dated 24.02.2022 of the State Government and letter no. LM/Misc./115-726/214 dated 07.02.2022 of APCCF, Nodal Officer (FCA), Chhattisgarh, on the above subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980. Additional information was provided vide letter no. F-5-01/2022/10-2 dated 12.10.2022 and letter no. F-5-01/2022/10-2 dated 22.02.2023 of the State Government and letter no. LM/Misc.-/115-726/184 dated 20.01.2023 of the APCCF, Nodal Officer (FCA), Chhattisgarh, in response to this Office letter of even number dated 09.11.2022. The said proposal has been examined in the Integrated Regional Office in light of the relevant provisions of the Forest (Conservation) Act, 1980 and Guidelines issued thereunder.

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 for diversion of 157.035 ha of forest land under Forest Conservation Act, 1980 proposed for Construction of New BG electrified line from Urga to Dharamjaygarh from Km 0 to Km 62 in Korba and Raigarh 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 315 ha area spread in 08 patches as under:

Patch	Comp. No.	Area (ha.)
1.	PF 310	57.41
2.	PF 314	15.11
3.	PF 319	54.33
4.	PF 324	39.36
5.	PF 325	33.64
6.	OA-687	70.00
7.	OA-716	25.15
8.	OA-721	20.00
Total		315.00

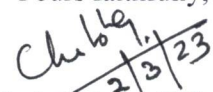
- The Compensatory afforestation area has been identified in Kendai Forest Range, of Katghora Forest Division, Tal- Katghora, Dist- Korba. The Compensatory afforestation will be carried out at the cost of the user agency. As far as possible, mixture of local indigenous species shall be planted and monoculture of any species may be avoided;
- b) The OA-687, OA-716 and OA-721 Orange Area forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval;
 - 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 157.035 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, 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. Width of the right of way (RoW) for the proposed road shall be limited to 30m;
 - vi. The total project affected trees are 35,354; comprised of 24098 trees falling in the below 90 cm girth class and 8256 trees falls in the above 90 cm girth class. The User Agency in consultation with State Forest Department shall minimize the felling of trees and wherever feasible trees in outer RoW will be kept intact and report on the same shall be submitted to IRO, Raipur.
 - vii. 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;

- viii. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portai (<https://parivesh.nic.in/>);
- ix. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector. The State Government of Chhattisgarh/ Nodal Officer (FCA), Forest Department of Chhattisgarh shall ensure settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007) before issuing an order for handing over of forest land to the User Agency as per Rule- 9 (6) (b) (ii) of Forest (Conservation) Rules, 2002 dated 28.06.2022;
- x. Speed regulating signage will be erected along the railway line at regular intervals in the Protected Areas/ Forest Areas;
- xi. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xii. All recommendations suggested by Wildlife Institute of India, Dehradun in Wildlife Management Plan shall binding on the User Agency and the State Government shall ensure that all recommendations are complied by User Agency within stipulated time. A detailed report in this regard and the copy of the approved wildlife Management plan by the Chief Wildlife Warden Government of Chhattisgarh shall be submitted to Integrated Regional Office for the record shall be submitted along with Stage-I compliance report;
- xiii. User Agency shall develop a separate nursery at one or more places to raise at least 1,00,000 seedlings of forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous/local every year. At least 50% of seedlings shall be planted by User Agency in the vicinity of project area including forest area and the user agency shall voluntarily distribute remaining 50% of seedlings to local people them free of cost. A compliance report including species wise details of seedlings raised, location of plantation area and details of villagers whom seedlings are distributed need to be prepared every six month and submitted to Regional Office of MoEF&CC;
- xiv. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xv. No labour camp shall be established on the forest land;
- xvi. 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;
- xvii. 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;
- xviii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;

- xix. 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;
- xx. The forest land shall not be used for any purpose other than that specified in the project proposal;
- 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://lparivesh.nic.in/>).

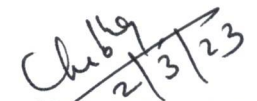
After receipt of a report from the State Government on the compliance of conditions no. ii, iii, iv (a), v, vi, ix, xii and undertakings in respect of rest of the conditions as indicated above, duly authenticated by the competent authority of the State Government, formal approval will be considered in this regard under Section-2 of the Forest (Conservation) Act, 1980. The transfer of forest land to the User Agency shall not be effected by the State Government till formal order approving the diversion of forest land is issued by the Central Government.

Yours faithfully,


2/3/23
Chaturbhuja Behera, IFS,
Inspector General of Forests.

Copy to:-

1. The Inspector General of Forests (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi- 110003.
2. The PCCF (HoFF), Government of Chhattisgarh, Aranya Bhawan, 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


2/3/23
Chaturbhuja Behera, IFS,
Inspector General of Forests.