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पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय
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GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE
INTEGRATED REGIONAL OFFICE
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F.No. FC-II / IROCH-07/2021 / 403

Date: 07/12/2021

To

✓ The Principal Secretary (Forests),
Govt. of Chhattisgarh,
Mantralaya, Mahanadi Bhawan
Nava Raipur, Atal Nagar, Chhattisgarh.

Sub: Diversion of 9.589 ha of forest land in favour of CSPTCL for construction of 132 KV DCDS line to provide supply from 132/33 KV SS Kondatarai to M/s NTPC Ltd, Jurda in Raigarh district in the state of Chhattisgarh.

Sir,

Kindly refer to the State Government of Chhattisgarh vide letter no F-5-04/2021/10-2 dated 25.05.2021 on the above subject seeking prior approval of the Central Government under Section - 2 of the Forest (Conservation) Act, 1980 and the State Government of Chhattisgarh vide letter no F-5-04/2021/10-2 dated 04.09.2021 and the Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh letter no. Bhu-Prabandh/Vidyut/479-179/1913 dated 10.08.2021, forwarding additional information as sought by the Regional Office vide its letters of even number dated 15.06.2021, respectively and to inform that the proposal of the State Government was examined by the Regional Empowered Committee (REC) 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 9.589 ha of forest land in favour of CSPTCL for construction of 132 KV DCDS line to provide supply from 132/33 KV SS Kondatarai to M/s NTPC Ltd, Jurda in Raigarh district in the state of Chhattisgarh, subject to fulfilment 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 19.178 ha degraded forest land of Compartment No. OA 1029- 3.417 Ha, OA 1023- 8.076 Ha and OA 1021-7.685 Ha Village- Rengapali, Block- Pusaur at Raigarh District, in Raigarh Forest Division, 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 non-forest land which has been transferred and mutated in favour of the State Forest Department;
- 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 9.589 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 shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>);
 - vi. Felling of trees shall be restricted to only 287 trees, throughout the length of the transmission line while remaining 1319 trees will be kept intact by the User Agency. Any tree felling shall be done only when it is unavoidable and that too under 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.
 - vii. No approach road shall be constructed in the forest area for transportation of steel and other material required for the transmission line. As far as possible the User Agency shall use the existing road and the proposed RoW for the transportation of the material and in the event of non-availability of such facilities, the User Agency shall transport material manually without construction of any path;
 - viii. The user agency, shall be submit Specific comments of Chief Wildlife Warden, Government of Chhattisgarh, on Schedule-I species like, Leopard, Tiger, Indian Gazelle, Four homed antelope, Wolf, Sloth Sear, Striped Hyena, Indian Pangolin, etc. the same shall be submitted along with Stage- I compliance report.
 - ix. User Agency shall prepare Avifauna management plan with consultation of State Forest Department, the same shall be submitted along with Stage- I compliance report.
 - x. Compliance of Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 along with supporting documents in the form of copies of record of proceedings of the Forest Rights Committee, Gram Sabha (s), Sub Divisional Level Committee(s) has not submitted by the User Agency the same shall be submitted by the User Agency along with Stage-I compliance report for Stage -2 approval.
 - xi. The user agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits;
 - xii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
 - xiii. No labour camp shall be established on the forest land;
 - xiv. The User Agency shall provide firewood 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 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;

- xvi. The forest land shall not be used for any purpose other than that specified in the proposal;
- xvii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- xviii. 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;
- xix. The user agency shall install circuit breakers at suitable places besides maintain necessary ground clearance to prevent electrocution of wild animals;
- xx. To minimize the felling for construction of transmission line, user agency shall comply with the following guidelines:
 - a) Below each conductor, width clearance of 3 mts. would be permitted for carrying the tension stringing equipment. The trees on such strips may be felled but after stringing work is completed, the natural regeneration will be allowed to come up.
 - b) One outer strip may be left clear to permit maintenance of the transmission line;
 - c) In the remaining width the right of way felling/pollarding/pruning of trees will be done with the permission of the local forest officer whenever necessary to maintain the electrical clearance, trees shall be allowed to be felled or lopped to the extent required, for preventing electrical hazards by maintaining the minimum 4.0 meter clearance between conductors and trees. The sag and swing of the conductors are to be kept in view while working out the minimum clearance mentioned as above;
 - d) User agency in consultation with the State Forest Department prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in right of way under the transmission line, and provide funds for execution of the said scheme to the State Forest Department; and
 - e) In case a portion of the transmission lines to be constructed is located in hilly areas, where adequate clearance is already available, trees shall not be cut;
- xxi. Height of transmission towers, in forest areas, wherever required, shall be increased to provide ground clearance to the extent maximum possible as per relevant permissible norms;
- 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. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;
- 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 7.01.2015; and
- xxv. 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), (vi), (viii), (ix), (x), (xi) and (xx) d, 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. The transfer of forest land to the User Agency shall not be affected by the State

Government till formal order approving the diversion of forest land is issued by the Central Government.

Yours faithfully,

Chubey
7/12/21

Chaturbhuja Behera
Inspector General of Forests

Copy to:

1. The PCCF & HoFF, Government of Chhattisgarh, Aranya Bhawan, Atal Nagar Nava Raipur.
2. The Nodal Officer (FCA), O/o of the PCCF, Government of Chhattisgarh, Aranya Bhawan, Atal Nagar Nava 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.

Chubey
7/12/21

Chaturbhuja Behera
Inspector General of Forests