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पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय
एकीकृत क्षेत्रीय कार्यालय,
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GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE
INTEGRATED REGIONAL OFFICE
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FC-I/ROCH-07/2021/529

Date:- 08/02/2022

To

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

**Sub: Diversion of Forest Land Non- Forest under Forest Conservation, Act 1980
proposed for Govt. Polytechnic Building for Skill upgradation 4.309 ha- reg.**

Sir,

I am directed to refer to the State Government of Chhattisgarh's letter no. F 5-55/2019/10-2 dated 08.07.2021 on the above subject seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980. Additional information was provided by the State Government of Chhattisgarh's vide letter no. F 5-55/2019/10-2 dated 21.01.2022 and Bhu-Prabandh/Vividh /115-720/8171 dated 31.12.2021, as sought by Regional Office letter of even number dated 29.09.2021. The said proposal has been examined and approved under Section - 4 of the Forest (Conservation) Act, 1980.

After examination of the proposal of the State Government, the Central Government hereby accords 'In-Principle' approval 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 Govt. Polytechnic Building for Skill upgradation 4.309 ha in Kanker 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 8.618 ha Orange Area degraded forest land Compartment No. AO-1474, Village-Shirshisda, Charama, Range- Charama, District- Kanker 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) at present rate for the 4.309 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

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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 gets due 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 to CAMPA through e-challan (<https://parivesh.nic.in/>) in the Savings Bank Account pertaining to the State concerned;
- vi. 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;
- vii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- viii. 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 develop a separate nursery at one or more places to raise at least 5000 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 for hand holding with local people residing in vicinity of proposed road, User Agency shall voluntarily distribute remaining 50% of seedlings to them free of cost. 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.
- ix. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- x. No labour camp shall be established on the forest land;
- xi. 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;
- xii. The forest land shall not be used for any purpose other than that specified in the proposal;
- xiii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- xiv. 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;
- xv. No damage to the flora and fauna of the adjoining area shall be caused;
- xvi. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xvii. 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;

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- 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. 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;
- xx. 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;
- xxi. 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;
- xxii. 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;
- xxiii. 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 (a), vi, viii and undertakings in respect of all other conditions, from the State Government, the proposal will be considered, formal approval will be considered in this regard under Section-2 Forest (Conservation) Act, 1980.

Yours faithfully,


Chaturbhuja Behera

Inspector General of Forests

Copy to:

1. The PCCF & HoFF, Government of Chhattisgarh, Sector-19, Aranya Bhavan, Atal Nagar, Nava Raipur (CG).
2. The Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh, Sector-19, Aranya Bhavan, Atal Nagar, Nava Raipur (CG).
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

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