

छत्तीसगढ़ शासन
वन विभाग
नया मंत्रालय भवन, रायपुर

क्रमांक एफ-5-27/2016/10-2
प्रति,

रायपुर, दिनांक 20/09/2016

प्रधान मुख्य वन संरक्षक
छत्तीसगढ़ रायपुर ।

विषय:- आवेदनकर्ता, कार्यपालन अभियंता, (सिविल), डंगनिया, रायपुर का धमतरी ज़िले के धमतरी वन मंडल अंतर्गत ग्राम चमेदा एवं हरदीभाठा में 132/33 के. व्ही विद्युत उप केन्द्र स्थापित करने हेतु पटवारी हल्का नं. 15, खसरा क्रमांक 06 एवं 07 के रकबा 1.57 हे. राजस्व वन भूमि का वन संरक्षण अधिनियम 1980 अंतर्गत प्रत्यावर्तन प्रस्ताव ।

संदर्भ:-1.भारत सरकार पर्यावरण एवं वन एवं जलवायु परिवर्तन मंत्रालय नई दिल्ली का पत्र क्र. 11-09/1998- एफ.सी. रायपुर दिनांक 13.05.2011, पत्र क्र.11-09/1998- एफ.सी. रायपुर दिनांक 1.02.2013 तथा पत्र क्र.11- 9/98-एफ.सी. दिनांक 25.02.2016 ।
2.अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) का पत्र क्र./भू-प्रबंध/विद्युत/479-145/2282 रायपुर दिनांक 12.9.2016 ।

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कृपया संदर्भित ज्ञापन क्र-2 का अवलोकन करें, जिसमें अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) द्वारा विषयांकित प्रकरण में सैद्धांतिक स्वीकृति जारी करने की अनुशंसा की गई है ।

विषयांकित प्रकरण को भारत सरकार पर्यावरण एवं वन मंत्रालय के पत्र क्र.एफ.नं. 11-09/1998-एफ.सी. रायपुर दिनांक 13.05.2011, पत्र क्र.11-09/1998- एफ.सी. रायपुर दि. 1.02.2013 तथा पत्र क्र.11- 9/98-एफ.सी. दिनांक 25.02.2016 में निहित प्रावधानों के तहत विचारोंपरांत राज्य शासन एतद् द्वारा धमतरी जिले के धमतरी वन मंडल अंतर्गत ग्राम चमेदा एवं हरदीभाठा में 132/33 के. व्ही विद्युत उप केन्द्र स्थापित करने हेतु पटवारी हल्का नं. 15, खसरा क्रमांक 06 एवं 07 के रकबा 1.57 हे. राजस्व वन भूमि को गैर वानिकी उपयोग पर देने हेतु वन संरक्षण अधिनियम 1980 के अंतर्गत व्यपवर्तन हेतु आवेदनकर्ता, कार्यपालन अभियंता, (सिविल), डंगनिया, रायपुर को निम्नलिखित शर्तों के अधीन सैद्धांतिक स्वीकृति दी जाती है :-


1. Legal status of forest land shall remain unchanged.
2. Forest land shall be handed over to the User Agency only after the User Agency has got possession of non-forest land, if any, required for the project;
3. The Nodal Officer, Forest (Conservation) Act,1980 shall charge the "Net Present Value" (NPV) for the 1.57 ha of forest land to be diverted under the 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 and 09/05/2008 in IA-566 in W.P. (Civil) No. 202/1995 and as per the guidelines issued by the Ministry of Environment Forest and Climate Change New Delhi vide letters No. 5-1/1998 (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.
4. Additional amount of NPV of diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt for the report from the Expert Committee, shall be charged by the Nodal Officer, Forest (Conservation) Act,1980 from the User Agency, which shall furnish an undertaking to this effect.
5. All the funds received from the User Agency under the project shall be transferred to the Ad-hoc Compensatory Afforestation Fund Management & Planning Agency (CAMPA) in Savings Bank A/c No. (CAF Chhattisgarh) SB 01025203 Corporation Bank, Lodhi Complex, New Delhi 110003.

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6. The User Agency shall obtain the Environment Clearance as per the provision of the Environmental (Protection) Act, 1986, if required;
7. No labour camp shall be established on the forest land;
8. The User Agency shall provide fuels preferably alternate fuels to the laborers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
9. The layout plan of the proposal shall not be changed without the prior approval of the State Government.
10. The forest land shall not be used for any purpose other than that specified in the proposal;
11. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department of person without prior approval of the Central Government;
12. No damage to the flora and fauna of the adjoining area shall be caused;
13. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
14. The Nodal Officer, Forest (Conservation) Act, 1980 shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt.) dated 03-08-2009, in support thereof;
15. Adequate precautions shall be taken by user agency to safeguard adjoining forest area from fire.
16. Muck disposal, if required, shall be taken up as per the scheme approved by the Forest Department.
17. No construction of dwelling units/hutments etc. for laborers and installation of new additional machinery shall be allowed in the forest area.
18. Any other condition, which the Regional Office Ministry of Environment Forest & Climate Change Nagpur, State Government or Nodal Officer, Forest (Conservation) Act, 1980 may stipulate, from time to time, in the interest of conservation, protection and development of forest & wildlife; and for conservation of flora and fauna as and when necessity arises.
19. The User Agency and the Nodal Officer, Forest (Conservation) Act, 1980 shall ensure compliance to provisions of the all statutory Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.
20. The User agency shall also submit the annual self compliance report in respect of the above conditions to the Nodal Officer, Forest Conservation Act 1980, the State Government and to the Ministry of Environment Forest and Climate Change Regional Office, Nagpur regularly.

After receipt of the compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final permission for diversion of the forests land under Section-2 of the Forest (Conservation) Act, 1980. The transfer of forest land to the User Agency shall not be effected by the Nodal Officer, Forest (Conservation) Act, 1980 till final permission for the diversion of forest land is issued by the State Government.

छत्तीसगढ़ के राज्यपाल के नाम
से तथा आदेशानुसार,


(अतुल कुमार शुक्ल)

सचिव

छत्तीसगढ़ शासन, वन विभाग

रायपुर, दिनांक 20/9/2016

क्रमांक एफ-5-27/2016/10-2
प्रतिलिपि :-

- 1.अपर प्रधान मुख्य वन संरक्षक (क्षेत्र), भारत सरकार, पर्यावरण वन तथा जलवायु परिवर्तन मंत्रालय, ग्राऊंड फ्लोर (ईस्टर्न विंग), न्यू सेक्रेटेरियट बिल्डिंग, व्ही.सी.ए. स्टेडियम के सामने सिविल लाईन, नागपुर (महाराष्ट्र) ।
 - 2.अपर प्रधान मुख्य वन संरक्षक (भू-प्रबंध) नोडल अधिकारी, वन संरक्षण अधिनियम 1980 छत्तीसगढ़, ।
 - 3.मुख्य वन संरक्षक रायपुर वृत्त रायपुर (छ.ग.) ।
 - 4.वनमंडलाधिकारी धमतरी, वनमंडल, धमतरी छ.ग. ।
 - 5.कार्यपालन अभियंता, (सिविल), विद्युत सेवा भवन, डंगनिया, रायपुर ।
- की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु अग्रेषित ।

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सचिव
छत्तीसगढ़ शासन, वन विभाग