

चेक लिस्ट क्रमांक संख्या 28

MoEF&CC का पत्रांक F. No. 11-43/2013-FC दिनांक 26.02.2019, के
अंतर्गत रेखांकित परियोजना में आवश्यकता नहीं है, पत्र संलग्न है

चेक लिस्ट क्रमांक संख्या 28

संबंधित ग्राम पंचायत का अनापत्ति प्रमाण पत्र (छत्तीसगढ़ शासन वन विभाग का पत्र क्रमांक एफ-5-20/2007/10-2 दिनांक 12.01.2010)

MoEF&CC का पत्रांक F.No. 11-43/2013-FC दिनांक 26.02.2019, के अंतर्गत रेखांकित परियोजना में आवश्यकता नहीं है, पत्र संलग्न है


वनमंडल अधिकारी
जांजगीर-चांदा वनमंडल


Government of India
Ministry of Environment, Forest and Climate Change
(FC Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi-110003

Dated: *26th February*
January, 2019

To,
The Principal Secretary/Secretary (Forests)
All States/UTs Governments

**Sub: Compliance of the Schedule Tribes and Other Traditional Forest Dwellers
(Recognition of Forest Rights) Act, 2006-regarding**

Sir,

I am directed to refer to Forest (Conservation) amendment Rules 2016 as amended on 06th March, 2017 wherein inter-alia it has been provided that:

(e) the District Collector shall

(i) complete the process of recognition and vesting of forest rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) for the entire forest land indicated in the proposal.

(ii) obtain consent of each Gram Sabha having jurisdiction over the whole or a part of the forest land indicated in the proposal for the diversion of such forest land and compensatory and ameliorative measures, if any, having understood the purposes and details of diversion, wherever required; and

(iii) forward his findings in this regard to the Conservator of Forests

(f) the entire process referred to in clause (e) shall be completed by the District Collector within the time period stipulated in these rules for grant of in-principle approval under the Act to the proposal.

(g) the Conservator of Forests shall examine the factual details and feasibility of the proposal, carry out site inspection in case the area of forest land proposed to be diverted is more than forty hectares, and forward the proposal along with his recommendations to the Nodal Office.

I am also directed to refer to references/communications received from various State Governments seeking clarification on whether FRA certificate is to be submitted before Stage-II compliance or it has been submitted along-with proposal for seeking Stage-I approval.

It is clarified that within the time period stipulated for compliance of stage-I

condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to the concerned CF). Hence for the purpose of the MoEF&CC, as per the provision under Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the state Govt. for consideration of the proposal by the ministry for final approval.

In view of the above, the State Governments are requested to adhere the provisions contained in Forest (Conservation) Amendment Rules, 2016 for FRA purpose while forwarding the proposal for seeking prior approval under Section 2 of Forest(Conservation) Act,1980 to this Ministry for consideration.

Yours faithfully,

(Shrawan Kumar Verma)
Dy. Inspector General of Forests

Copy to:

1. Prime Minister's Office
2. Secretary, Ministry of Mines, Government of India
3. Secretary, Ministry of Coal, Government of India
4. Secretary, Ministry of Petroleum and Natural Gas, Government of India
5. Principal Chief Conservator of Forests, all State/UT Governments
6. Nodal Officer, the Forest (Conservation) Act, 1980, all State/ UT Governments
7. All Regional Offices, Ministry of Environment, Forest and Climate Change (MoEF&CC), GoI.
8. Joint Secretary in-charge, Impact Assessment Division, MoEF&CC, GoI
9. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEF&CC, GoI/Director, ROHQ, MoEF&CC, GoI/TO(FC)/TO(ROHQ).
10. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the letter on website of this Ministry.
11. Sr. PPS to the Secretary, MoEF&CC
12. Sr. PPS to the Director General of Forest & Special Secretary, MoEF&CC, GoI
13. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEF&CC, GoI.

Yours faithfully,

(Shrawan Kumar Verma)
Dy. Inspector General of Forests

O/C

13/3/19



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

National Highways Authority Of India
(Ministry of Road Transport and Highways, Govt. of India)
कार्यालय परियोजना निदेशक, परियोजना कार्यान्वयन ईकाई, बिलासपुर
Office of Project Director Project Implementation Unit, Bilaspur
डी-61, एच.आई.जी.-1, अभिलाषा पारिसर, नया बस स्टैंड के पीछे तिफ्रा, बिलासपुर (छ.ग.)
D-61, HIG-1, Abhilasha Parisar, Behind Hitech Bus Stand, Tifra, Bilaspur (C.G.) 495001

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भारतमाला
प्रगति के पथ पर अग्रसर

Project- Development of Economic Corridor to improve the efficiency of freight movement in India under Bharatmala Pariyojana [Lot-3/Chhattisgarh/Package-1(Bilaspur Uрга Section of Raipur Dhanbad Economic Corridor)]

Undertaking regarding Forest Rights Act, 2006

This is to undertake that documentary evidence in support of Settlement of Rights under the Forest Rights Act, 2006 on the forest land proposed to be diverted shall be obtained from District Collector after detailed joint inspection in Part II stage of forest proposal. Same shall be uploaded in the portal as soon as it is furnished.


Project Director
NHAI, Bilaspur (C.G.)
NHA, Bilaspur

Form - 1
(For linear projects)
Government of Chhattisgarh
Office of the District Collector Bilaspur

No 804

Dated 13.3.2019

TO WHOM SO EVER IT MAY CONCERN

In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter No 11-9/98-FC (pt) dated 3rd August 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest rights) Act' 2006 (FRA for short) on the forest land proposed to be diverted in for non-forest purposes, read with MoEF's letter dated 5th February 2013. Wherein MoEF issued certain relaxation in respect of liner project, it is certified that 0.771 hectare of Revenue forest land proposed to be diverted in favour of BHARATMALA PARIYOJNA Ltd Feeder Canal for MUDPAR in district Bilaspur falls within jurisdiction of MUDPAR in Masturi Tehsil.

It is further certified that :-

- a) The complete process for identification and settlement of rights under the FRA has been carried out for the entire 0.771 Hectares of forest area proposed for diversion. A copy of records of all consultation and meeting of the Forest Right Committee (s), Gram Sabha(s), Sub-Division Level Committee(s) and the District Level Committee are enclosed as annexureI..... to annexureXII.....
- b) The proposal for such diversion (with full details of the projects and its implications, in vernacular/local language) have been placed before each concerned Gram Sabha of forest dwellers, who are eligible under the FRA.
- c) The each of concerned Gram Sabha(s), has certified that all formalities/processes under the FRA have been carried out, and that they have given their consents to the proposed diversion and the compensation and ameliorative measures, if any, having understood the purpose and details of proposed diversion. A copy of certificate issued by the Gram Sabha of for MUDPAR Village (s) is enclosed as annexureI..... to annexureXII.....
- d) The discussion and decisions on such proposals had taken place only when there was a quorum of minimum 50% of the members of Gram Sabha present.
- e) The diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA have been completed and Gram Sabhas have given their consent to it.
- f) The rights of Primitive Tribal Groups and Pre-Agricultural Communities, where applicable have been specifically safeguarded.

Encl :- As above.

Dr. SANJAY KUMAR ALUNG
74 COLLECTOR
BILASPUR (C.G)