



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE

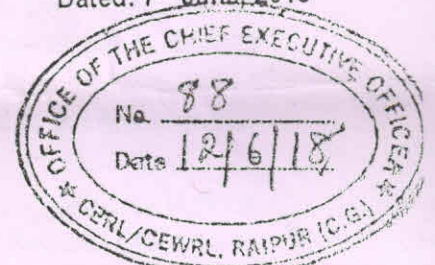
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F. No. FC-III/CH-22/2017-NGP / 3797

Dated: 7th June, 2018

To

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



Sub: Diversion of 459.522 ha of Forest Land in favour of Chhattisgarh East West Rail Corridor Ltd., for Construction of East West Rail Corridor from Marwahi Forest Division (77.178 ha) and Katghora Forest Division (382.344 ha), under Forest (Conservation) Act, 1980 in Bilaspur and Korba District in the State of Chhattisgarh – regarding.

Sir,

I am directed to refer to the State Government of Chhattisgarh's letter no. F-5-65/2017/10-2 dated 12.10.2017 and Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh's letter no. Bhu-Prabandh/Vividh/115-442/3413 dated 26.11.2017 and letter no. Bhu-Prabandh/Vividh/115-442/3727 dated 26.12.2017 forwarding additional information as sought by the Regional Office vide its letters of even number dated 3.11.2017 and 8.12.2017. After careful examination of the proposal of the State Government 'in-principle' approval was accorded vide Regional Office of the MoEF&CC's letter of even number dated 26.02.2018 read with letter dated 9.03.2018 subject to fulfilment to certain conditions prescribed therein. The Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh submitted the compliance report of conditions stipulated in the Stage-I approval and requested to consider the proposal for grant of final approval under the Forest (Conservation) Act, 1980.

In this connection, I am further directed to inform that based on the compliance report submitted by the Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh vide his letter No. Bhu-Prabandh/Vividh/115-412/982 dated 31.03.2018 and further on the basis of recommendation of the proposal by the National Tiger Conservation Authority conveyed vide their letter no. 7-60/2017-NTCA dated 17.04.2018 'final approval' of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 is hereby accorded for diversion of 459.522 ha of Forest Land in favour of Chhattisgarh East West Rail Corridor Ltd., for Construction of East West Rail Corridor from Marwahi Forest Division (77.178 ha) and Katghora Forest Division (382.344 ha), under Forest (Conservation) Act, 1980 in Bilaspur and Korba District in the State of Chhattisgarh subject to following conditions:

- Legal status of the diverted forest land shall remain unchanged;
- Compensatory afforestation, over degraded forest land, twice in extent to the forest land being diverted, shall be raised and maintained by the State Forest Department from the funds already provided by the User Agency;
- The approved compensatory afforestation scheme proposed to be implemented shall include appropriate provisions for the protection of the compensatory afforestation plantation and anticipated cost increase for works scheduled for subsequent years;
- The State Government has realized Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated

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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. The NPV, if any becomes due in future, shall be realized by the State Government, if so determined, as per the final decision of the Hon'ble Supreme Court of India;

- v. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- vi. Compensatory levies, if any realized from the User Agency in future, under the project shall be transferred through e-challan to Ad-hoc Compensatory Afforestation Fund Management & Planning Agency (CAMPA) account pertaining to the State concerned;
- vii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- viii. The User Agency will strictly adhere to the following mitigation measures as suggested by National Tiger Conservation Authority and a report on the same shall be submitted to the Regional Office, along with six monthly compliance reports:
 1. It is recommended to revisit the mitigation measures proposed in the Mitigation Plan proposed by the Forest Department, Chhattisgarh and follow the protocol laid down in WII's guideline document 'Eco-friendly measures to mitigate impacts of linear infrastructure on wildlife'. Without proper/adequate mitigation measures, the proposed East West Rail Corridor shall compromise the connectivity of the landscape and will result in enhancement of human-wildlife conflict.
 2. The underpasses should be structured in a manner so that they have heights at least equal to their width, and openings that allow unobstructed view of habitat so as to maximize their use by wildlife. The dimensions of the underpasses for this landscape should be 300 m span and at least 7 m high span would work for the railway track passing through the reserved forest areas sensitive for wild animal's movements and conflict. The 300 m span refers to clear open passageways excluding the support pillars (WII guidelines, 2016). The Geo locations of the mitigation measures should be finalized after physical inspection involving the representative of NTCA, WII & the CWLW, Chhattisgarh.
 3. Technology aided surveillance systems such as infra-red camera based e-Eye, seismic and wireless sensor based monitoring systems developed by IIT, Delhi and WII should be implemented for minimizing animal-rail collisions in the track. The sensors should be placed on both sides of the track in the accident prone areas (for wild animals) and should emit warning signals when being approached by large bodied animals. NTCA & the Forest Departments of Uttarakhand, MP & Assam have already applied e-Eye and the same technology should be extended for this purpose. Incidents of train - animal collisions in many areas of the country (like Rajaji Tiger Reserve, Uttarakhand) have already been minimized by using these technologies.
 4. Steps should be taken for enhancing the visibility for train drivers along sensitive sections by clearing vegetation, levelling mounds (under supervision of Forest Department) and putting solar-light posts at appropriate places.
 5. A joint team comprising of watchmen of forest and railway departments (equipped with wireless sets) should patrol the very critical sections of the track (24 X 7 basis) and warn the train drivers whenever necessary. A separate team needs to be engaged for disposing food waste and other garbage from the tracks regularly which otherwise might attract animals to approach the track. Care should be taken in planning water point's creations near the track as this might draw more animal movements near the track.
 6. Both attacking and exit Speed of the passenger and goods trains (especially at night) inside the forested area should be decided after technical deliberations with the Forest Department.

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7. Standardized signages should be erected at appropriate places along the track sensitizing the drivers and guards. Regular awareness training programs for loco pilots, guards, caterers and other railway officials should be organized in collaboration with the state Forest Department for sensitizing them about the measures need to be taken for averting accidents.
 8. Construction work should be done during daytime (6 AM - 6 PM) and no night camp of labours should be allowed within the forest area. User agency should also monitor that no labour gets involved in extraction of forest products. Local RFO and forest staff should pay regular and sudden visits to the construction sites for monitoring these.
 9. The Forest Department and user agency should ensure that the construction period within the reserved Forest areas is kept minimal since construction work continued for a longer duration might completely decimate the wildlife populations in the area. Use of pre-fabricated structures is recommended wherever feasible. Light and sound barriers should also be created along the railway as per WII's recommendations (WII guidelines, 2016).
 10. The CWLW, Chhattisgarh should constitute a monitoring committee comprising of forest officials of, NTCA, WII, Indian Railway and IRCON representatives to supervise the compliance of the conditions laid in this report during various phases of project implementation.
- ix. No labour camp shall be established on the forest land;
 - x. 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;
 - xi. 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;
 - xii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
 - xiii. The forest land shall not be used for any purpose other than that specified in the proposal;
 - 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. Felling of trees shall be restricted to the toe of the bank only. No felling of trees shall be undertaken in the RoW falling beyond the toe of the bank. However, if required, clearing of bushes and other vegetation may be undertaken for the purpose of constriction of drains and other similar utilities;
 - xvii. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
 - xviii. Provisions of Watch towers/Forest Guard post shall be provided along the alignment in Protected Forest lands in consultation with the State Forest Department at the project cost;
 - xix. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
 - xx. Provisions contained in the Wildlife Management Plan prepared for the conservation protection and development of wildlife in the region shall be implemented, after incorporating the suggestions of NTCA as contained in their letter no. letter no. 7-60/2017-NTCA dated 17.04.2018, in consultation with the PCCF (Wildlife) & Chief Wildlife Warden, Chhattisgarh. Increase in the number and shifting of underpasses/overpasses, if so recommended by the CWLW, shall be incorporated into the Wildlife

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Management Plan and the same shall be implemented at the project cost. Approved Management Plan shall be submitted to the Regional Office, along with six monthly compliance report;

- xxi. Speed of the train shall be regulated in the patches of forest areas, reported to be used by the Wildlife, in consultation with the PCCF (Wildlife) & Chief Wildlife Warden, Chhattisgarh;
- xxii. As the proposed railway line involves cutting of earth which may result into generation of debris, therefore, to arrest the flow of silt into local nallah and rivulet, a plan on soil conservation measures shall be prepared and implemented by the User Agency in consultation with the State Forest Department at the project cost. A copy of the same shall be submitted along with the compliance report;
- xxiii. The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals;
- xxiv. The reclamation of quarry, if any, should be done under the supervision of the State Forest Department. The quarry shall be reclaimed and afforested completely before the project is closed;
- xxv. The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable;
- xxvi. The State Government 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 in accordance with the relevant guidelines issued by the MoEF;
- xxvii. Forest land shall not be used for any kind of quarrying and muck to be generated during the construction of railway line shall be dumped with the permitted RoW;
- xxviii. The User Agency shall assist and coordinate in the strengthening of the office of the Nodal Officer (FCA), Government of Chhattisgarh to carryout effective monitoring of the conditions stipulated in the forest clearance at the project cost;
- xxix. The User Agency shall submit the half yearly self compliance report in respect of the above conditions on 31st July and 31st December every year to the State Government and to the concerned Regional Office of the Ministry regularly;
- xxx. The State Government shall ensure compliance of the above mentioned conditions and an annual report on the same shall be submitted on 31st December every year;
- xxxi. 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; and
- xxxii. 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;

Yours faithfully,


Charan Jeet Singh
Scientist 'C'

Copy to:

1. The PCCF, Government of Chhattisgarh, Raipur
2. The Nodal Officer FCA, O/o of the PCCF, Government of Chhattisgarh, Raipur.
3. The Director (ROHQ), MoEF&CC, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
4. User Agency.
5. Guard File.


Charan Jeet Singh
Scientist 'C'