

भारत सरकार  
पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय  
एकीकृत क्षेत्रीय कार्यालय,  
अरण्य भवन, नार्थ ब्लॉक,  
सेक्टर -19, नवा रायपुर, अटल नगर  
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GOVERNMENT OF INDIA  
MINISTRY OF ENVIRONMENT, FORESTS &  
CLIMATE CHANGE  
INTEGRATED REGIONAL OFFICE  
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NAVA RAIPUR, ATAL NAGAR, CHHATTISGARH - 492002  
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F. No. FC-III/IROCH-04/2022 /673

Date: 12/04/2022

To,

Principal Secretary (Forests),  
Government of Chhattisgarh,  
Forest Department, Mantralaya,  
Mahanadi Bhavan, Nava Raipur, Atal Nagar (CG).

**Sub: Diversion of 228.0425 ha of forest land in favour of NHAI PIU Dhamtari for Development of Economic Corridors, Inter-corridors, feeder routes and Coastal Road to improve the efficiency of freight movement in India (Lot-3/Odisha & Jharkhand/Package-2) Raipur-Vishakhapatnam (Ch. 0.000 - Ch. 124.661) in the State of Chhattisgarh under Bharatmala Pariyojana. (Forest Proposal is for between km 42+844 to Km 124.661).**

Sir,

I am directed to refer to the State Government of Chhattisgarh vide letter no. F-5-29/2021/10-2 dated 07.01.2022, placed along with annexure at page 1-2783/c, submitted the above mentioned proposal seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980. Additional information was forwarding by the State Government of Chhattisgarh vide letter no. F-5-29/2021/10-2 dated 15.03.2022, NHAI letter no. dated 01.04.2022 and Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh, vide letter dated 03.03.2022, as desired by Regional Office vide letter dated 02.02.2022. It is to say that the said proposal has been examined and recommended by the Regional Empowered Committee constituted under Section - 4 of the Forest (Conservation) Act, 1980.

After careful 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 228.0425 ha of forest land in favour of NHAI PIU Dhamtari for Development of Economic Corridors, Inter-corridors, feeder routes and Coastal Road to improve the efficiency of freight movement in India (Lot-3/Odisha & Jharkhand/Package-2) Raipur-Vishakhapatnam (Ch. 0.000 - Ch. 124.661) in the State of Chhattisgarh under Bharatmala Pariyojana. (Forest Proposal is for between km 42+844 to Km 124.661), in Dhamtari, Kanker and Keshkal in the State of Chhattisgarh subject to the fulfilment of the following conditions:

- i. Legal status of the forest land shall remain unchanged;
- ii. **Compensatory afforestation**
  - a. Compensatory afforestation shall be taken up by the Forest Department over 457 ha spread in 19 patches in 03 forest ranges in Mahasamund Forest Division. Orange Forest Area in Rajnandgoan 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;



- 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 current wage rate to the State 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 228.0425 ha (180.1675 ha at present and 47.875 ha after ESZ notification) forest area to be diverted under this 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, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (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;
- 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. Forest clearance is agreed only for diversion of 180.1675 ha forest areas under FC Act, and it does not include forest areas falling under ESZ/ PA.
- vi. For the stretch from 89.641 to km 124.661 (35.020 km) falling under default (10 km) ESZ of Udanti-Sitanadi Tiger Reserve and constituting an area of 47.875 ha, the User Agency shall obtain the revised ESZ notification or approval from the NBWL as mandated under the FC Act, rules and guidelines. In case any realignment or other changes are suggested by NBWL or MoEF& CC during the course, the consequential changes, if any, will be effective in the "In Principle" FC approval accordingly.
- vii. Wildlife Conservation and Management Plan approved by Principal Chief Conservator of Forest and Chief Wildlife Warden, Government of Chhattisgarh as per the WII guidelines shall be submitted before Stage-II approval.
- viii. The state shall ascertain whether proposed wildlife area or any portion thereof falls in the declared Indravati-Udanti-Sitanadi-Sunabeda Tiger Corridor. In case of any area falling in the Tiger Corridor, the User agency shall take necessary approval from NTCA, the same shall be submitted before Stage-II approval;
- ix. Total 354 nos. of structures proposed in 81.817 km road length (Road length in Forests 47.875 Km), proposed cross structures for movement of animals are at the interval of 200-250 meters. The suitability of the structures and their quantity will be examined by the The Chief Wildlife Warden, Government of Chhattisgarh and the prescribed statutory authorities in the management plan submitted the User Agency, as per the extant guidelines, the same shall be submitted before Stage-II approval;
- x. The clearance from Project Elephant Division, if required, shall be before the Stage-II approval;
- xi. Out of the total project affected 87,613 trees only 68,013 will be felled in 30 meters of RoW and 19600 trees falling in the on either side of the road will be kept intact. User agency shall restrict



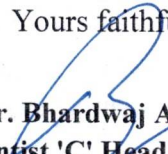
- the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- xii. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable, before the Stage-II approval;
  - xiii. 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/>);
  - xiv. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
  - xv. Strip plantations on both sides and central verge of the road as per the IRC norms shall be raised by the State forest department by planting tall seedlings of 8-10 feet in height at the cost of User Agency, further; same shall be protected by chain linked fencing at least for initial three years of its growth. In forest patches, plantations of ornamental species should be avoided and preference shall be given to native forest tree species including fruit bearing tree species, like mango, banyan, tamarind, etc;
  - xvi. Speed regulating signage will be erected along the road at regular intervals in the Forest Areas;
  - xvii. User Agency in consultation with forest department shall prepare 26 Underpasses, one tunnel of length 2.83 km and 3 viaducts having total length 960 meter along with the following structures.
    - 29 nos. of Monkey Canopy.
    - 5 nos. of Major Bridges, 37 nos. of Minor Bridges,
    - 3 nos. Viaduct, 14 nos. of VUP. 2 nos. VOP, 33 nos. of LVUP and 233 nos. of Box culverts.
  - xviii. The User Agency in consultation with Forest Department shall provide under/over pass for safe passage of wild animals at suitable places as per Wildlife Institute of India's manual entitled "Ecofriendly Measures to Mitigate Impacts of Linear Infrastructure on Wildlife" published in 2016;
  - xix. NHAI shall develop a separate nursery at one or more places to raise at least 50,000 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 better relation with local people residing in vicinity of proposed road, NHAI shall voluntary 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;
  - xx. The layout plan of the proposal shall not be changed without prior approval of Central Government;
  - xxi. No labour camp shall be established on the forest land;
  - xxii. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
  - xxiii. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;

- xxiv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xxv. 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;
- xxvi. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xxvii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
- xxviii. 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;
- xxix. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife;
- xxx. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>);

After receipt of a report on the compliance of conditions no iii, iv (a), v, vi, vii, viii, ix, x, xi, xiv, xvi, xviii 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.

This issues with the approval of Competent Authority.

Yours faithfully

  
**Dr. Bhardwaj Adiraju**  
Scientist 'C' Head of Office

**Copy to:**

1. The PCCF & HoFF, Government of Chhattisgarh, Sector-19, Aranya Bhavan, Atal Nagar, Naya Raipur (CG).
2. The Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh, Sector-19, Aranya Bhavan, Atal Nagar, Naya Raipur (CG).
3. User Agency.
4. Guard File.

  
**Dr. Bhardwaj Adiraju**  
Scientist 'C' Head of Office