



सत्यमेव जयते

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

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FC-II/CH-47/2016-NGP/1972

Dated: 27<sup>th</sup> June, 2017

To

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

**Sub: Diversion of 26.52 ha of forest land in favour of Chhattisgarh East Railway Limited for Construction of 38 (10+28) KM Railway Line from Kharsiya to Gurda and Gharghoda to Gare-Palema Under East Rail Corridor in the State of Chhattisgarh – regarding.**

Sir,

I am directed to refer to the State Government of Chhattisgarh's letter no. F-5-60/2008/10-2 dated 07.01.2017 on the above subject seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980 and the Nodal Officer (FCA), Government of Chhattisgarh's letter no. Bhu-Prabandh/Vividh/115-588/2788 dated 12.11.2016, Bhu-Prabandh/Vividh/115-588/2960 dated 12.12.2016, Bhu-Prabandh/Vividh/115-588/456 dated 20.02.2017, Bhu/Prabandh/Vividh/425-56/1191 dated 3.05.2017, Bhu-Prabandh/Vividh/115-588/1627 dated 19.05.2017 and letter no. Bhu-Prabandh/Vividh/115-588/1924 dated 21.06.2017 forwarding additional information as sought by the Regional Office vide its letter of even number dated 23.09.2016, 21.11.2016, 27.12.2016, 20.02.2017, 4.05.2017 and 21.06.2017, respectively and to say that proposal and to say that proposal along with the additional information received from the Nodal Officer (FCA), Government of Chhattisgarh was examined by Regional Empowered Committee (REC) constituted under Section-4 of the Forest (Conservation) Act, 1980.

After careful examination of the proposal and on the basis of the approval of the same by the Regional Empowered Committee, the Central Government hereby conveys the 'in-principle' approval for diversion of 26.52 ha of forest land in favour of Chhattisgarh East Railway Limited for Construction of 38 (10+28) KM Railway Line from Kharsiya to Gurda and Gharghoda to Gare-Palema Under East Rail Corridor in the State of Chhattisgarh subject to fulfilment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. 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 at the cost of the User Agency;
- iii. The land identified for raising compensatory afforestation shall be clearly depicted on the Sol toposheet of 1:50,000 scale;
- iv. The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate, to the State Forest Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- v. The State Government shall charge the 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 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;
- vi. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;

- vii. 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 Ad-hoc CAMPA, through e-challan, in the Saving Bank Account pertaining to the State concerned;
- viii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- 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. Number of Staff quarters proposed for constructed in no case will exceed 0.114 ha of area as proposed in the proposal.
- xii. 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;
- xiii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- xiv. The forest land shall not be used for any purpose other than that specified in the proposal;
- xv. 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;
- xvi. No damage to the flora and fauna of the adjoining area shall be caused;
- xvii. A Wildlife Conservation Plan for the habitat improvement, protection and conservation of Wildlife in the area shall be prepared and implemented at the project cost by the State Government in consultation with the PCCF (Wildlife), Government of Chhattisgarh. A copy of the approved, Wildlife Management Plan, along with financial provisions for its implementation shall be submitted to the Regional Office along with the compliance report;
- xviii. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
- 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. The User agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department. A scheme of such measures may be submitted along with the compliance report;
- xxi. The State Government shall ensure controlled speed limit if the trains passing through the forest portion to enable the trains drivers to react to the sudden appearance of the wild animals on the track. As and when required, speed of train shall be regulated in consultation with Chief Wildlife Warden of the State Government;
- xxii. 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;
- xxiii. 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;
- xxiv. The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable;



- xxv. 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;
- xxvi. 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;
- xxvii. The user agency shall submit the half yearly self compliance report in respect of the above conditions on 31<sup>st</sup> July and 31<sup>st</sup> December every year to the State Government and to the concerned Regional Office of the Ministry regularly;
- xxviii. The State Government shall ensure compliance of the above mentioned conditions and an annual report on the same shall be submitted on 31<sup>st</sup> December every year;
- xxix. 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;
- xxx. 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; and
- xxxi. 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 7.01.2015.

After receipt of a report from the State Government on the compliance of conditions no. (iii), (iv), (v), (vii), (xvii), (xix), (xx) and undertakings in respect of rest of the conditions as indicated above, duly authenticated by the competent authority of the State Government, formal approval will be considered in this regard under Section-2 of the Forest (Conservation) Act, 1980.

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'