

भारत सरकार
पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय
एकीकृत क्षेत्रीय कार्यालय,
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GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE
INTEGRATED REGIONAL OFFICE
ARANYA BHAWAN, NORTH BLOCK, SECTOR-19,
NAVA RAIPUR, ATAL NAGAR, CHHATTISGARH - 492002
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F. No. FC-I/IROCH-19/2023 /1412

Date: 24/05/2023

To,

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

Sub: Diversion of 0.828 Ha. forest land in favour of PWD Bridge Dhamtari for construction of High Level Bridge and its approach road across Balka River on Ratwa-Birnasilli road near CRPF camp, under Forest (Conservation) Act, 1980 at Village – Birnasilli, Block–Nagari, District-Dhamtari, Chhattisgarh– reg.

Sir,

Kindly refer to the letter no. F-5-10/2022/10-2 dated 16.11.2022 of State Government and letter no. क्र.भू-प्रबंध/विधि/115-908/2354 dated 13.10.2022, APCCF, Nodal Officer (FCA), Chhattisgarh, on the above subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980. Additional information was provided by the State Government of Chhattisgarh vide letter no. F-5-10/2022/10-2 dated 11.05.2023 and क्र.भू-प्रबंध/विधि/115-908/1022 dated 01.05.2023, APCCF, Nodal Officer (FCA), Chhattisgarh, as sought by Regional Office letter of even number dated 15.09.2022. It is to say that the said proposal has been examined in the Integrated Regional Office in light of the relevant provisions of the Forest (Conservation) Act, 1980 and Guidelines issued thereunder and approved by the Regional Empowered Committee constituted under Section -4 of the Forest (Conservation) Act, 1980.

After 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' under Section -2 of the Forest (Conservation) Act, 1980 for diversion of 0.828 Ha. forest land in favour of PWD Bridge Dhamtari for construction of High Level Bridge and its approach road across Balka River on Ratwa-Birnasilli road near CRPF camp, under Forest (Conservation) Act, 1980 at Village – Birnasilli, Block–Nagari, District-Dhamtari, Chhattisgarh subject to the fulfillment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. **Compensatory Afforestation:**

The State Government shall ensure the Compensatory Afforestation, plantation of 1000 tall plants of native tree species in the vicinity of the area, in lieu of forest land being diverted at the cost of the User Agency and the report shall be submitted to IRO, Raipur.

- 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 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;

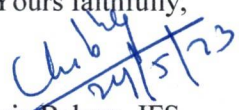
iv. **NPV:**

- a) The State Government shall charge the Net Present Value (NPV) for the 0.828 ha 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, letter No. 5-2/2006- FC dated 03/10/2006, letter No. 5-3/2007-FC dated 05/02/2009, letter No. 5-3/2011- FC (Vol-I) dated 06.01.2022 and letter No. 5-3/2011-FC(Vol-I) dated 22.03.2022 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. No tree cutting shall be permitted in the diverted forest land;
- vi. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portai (<https://parivesh.nic.in/>);
- vii. The State Government of Chhattisgarh/ Nodal Officer (FCA), Forest Department of Chhattisgarh shall ensure settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007) before issuing an order for handing over of forest land to the User Agency as per Rule- 9 (6) (b) (ii) of Forest (Conservation) Rules, 2022 dated 28.06.2022;
- viii. 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;
- ix. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;
- x. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xi. No labour camp shall be established on the forest land;
- xii. 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;
- xiii. The forest land shall not be used for any purpose other than that specified in the proposal;
- xiv. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xvi. 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;
- xvii. 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;

- xviii. 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;
- xix. 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;
- xx. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of a satisfactory compliance report from the State Government in respect of condition no. ii, iii, iv (a), v, viii, 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.

Yours faithfully,


Chaturbhuja Behera, IFS,
Inspector General of Forests.

Copy to:-

1. The Inspector General of Forests (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi- 110003.
2. The PCCF (HoFF), Government of Chhattisgarh, Aranya Bhawan, Sector-19, Nava Raipur, C.G
3. The Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh, Aryan Bhawan, Nawa Raipur, Chhattisgarh.
4. User agency.
5. Guard file


Inspector General of Forests.