

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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File No. FC-II/IROCH-20/2023/1414

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 15.690 ha of Forest land / Orange Forest land and Revenue Forest land under Forest Conservation Act 1980, in favour of Executive Deputy General Manager (Project), GAIL (India) Limited for non-forestry work "laying of the Gas Pipeline line and O.F.C, 18-inch diameter natural gas under Khairagarh, Bilaspur, Korba, Janjgir-Champa and Raigarh Forest Divisions of Raigarh District in the State of Chhattisgarh"-reg.**

Sir,

Kindly refer to the letter no. F-5-09/2023/10-2 dated 08.05.2023 of State Government and letter no. LM/Misc./115-934/909 dated 17.04.2023 of 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. 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 15.690 ha of Forest land / Orange Forest land and Revenue Forest land under Forest Conservation Act 1980, in favour of Executive Deputy General Manager (Project), GAIL (India) Limited for non-forestry work "laying of the Gas Pipeline line and O.F.C, 18-inch diameter natural gas under Khairagarh, Bilaspur, Korba, Janjgir-Champa and Raigarh Forest Divisions of Raigarh District in the State of Chhattisgarh" subject to the fulfillment of the following conditions:

- Legal status of the diverted forest land shall remain unchanged;
- The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Stage-II approval;



iii. **Compensatory Afforestation:**

Compensatory afforestation shall be taken up by the Forest Department over 18.00 ha. non-forest land in Patwari Halka no. 62, Khasrah no. 962 at Bhalera village, Teh.- Arang, in Atal Nagar, Nava Raipur, Range in Raipur District. Suitability certificate has been submitted by DFOs concerned. Certificate to defray the cost of CA has been submitted by the User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Raipur District shall be planted and monoculture of any species may be avoided. The User agency shall make necessary facility/ construction in the area to meet the water requirement for plantation and for wild animals throughout the year;

- iv. 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;

v. **NPV:**

- a) The State Government shall charge the Net Present Value (NPV) for the 15.690 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;
- vi. The 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; maximum numbers of trees in 10 meters RoW will be kept intact. A detailed report in this regard shall be submitted to IRO, Raipur, MoEF&CC along with Stage- I compliance report;
- vii. After completion of the project, the number of trees in the RoW of 10 meters shall be re-confirmed by the State Forest Department and damage, if any, shall be reported to the Regional Office. Forest land shall be handed over to the User Agency after re-confirmation of the number of pre-enumerated trees.
- viii. To improve the Forest/ Tree cover and to reduce pollution in the State, as mandated in National Forest Policy, 1988 and Environmental (Protection) Act, 1986



respectively, the User Agency with involvement of Joint Forest Management Committees (JFMC's) and in consultation with local DFOs shall raise at least 1000 tall seedlings for each of the 183 villages, of forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous/local species. At least 50% of seedlings shall be planted in the vicinity of project area and remaining 50% of seedlings shall be distributed among villagers as per choice of villagers. The concerned JFMC's shall maintain record of plantation/ seedling distribution to villagers;

- ix. The user agency in consultation with State Forest Department shall prepare a scheme for the plantation of dwarf species trees/ medicinal plants that may be grown in the RoW as per the norms Ministry of Petroleum and Natural Gas (MoPNG), Govt. of India, which is not hampering the Safety and maintenance of the pipeline. The same shall be submitted to Integrated Regional Office along with Stage- I compliance report;
- x. 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/>);
- xi. 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, 2002 dated 28.06.2002;
- xii. The pipeline shall be laid down 1.5 meter below the ground and after lying down of pipe line the ground will be leveled;
- xiii. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xiv. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xv. No labour camp shall be established in the forest land;
- xvi. 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;
- xvii. 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;
- xviii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xix. 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;
- xx. The forest land shall not be used for any purpose other than that specified in the project proposal;





- xxi. 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;
- xxii. 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;
- xxiii. 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;
- xxiv. The compliance report shall be uploaded one-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, vii, 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,

*Chubey*  
*24/5/23*  
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, Nawa Raipur, C.G
3. The Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh, Aryan Bhawan, Nawa Raipur, Chhattisgarh.
4. User agency.
5. Guard file.

*Chubey*  
*24/5/23*  
Inspector General of Forests