



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

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FC-II/CH-96/2018-NGP /05

Dated: 24<sup>th</sup> November, 2020

✓ To

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

**Sub: Diversion of 7.116 ha of Forest land in favour of NMDC Limited for construction of Ore processing Slurry Pipe Line for transportation of ore concentrate from Kirandul to Nagamar under the Forest Conservation Act, 1980 in Dantewada District in the State of Chhattisgarh- regarding.**

Sir,

I am directed to refer to the State Government of Chhattisgarh's letter no. F-5-28/2018/10-2 dated 13.11.2018 on the above subject seeking prior approval of the Central Government, in accordance with Section-2 of the Forest (Conservation) Act, 1980 and to say that the said proposal has been examined and approved by the Regional Empowered Committee 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 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 7.116 ha. of forest in favour of NMDC Limited for construction of Ore processing Slurry Pipe Line for transportation of ore concentrate from Kirandul to Nagamar under Forest Conservation Act 1980 in Dantewada District 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 16.00 ha of degraded forest land in Dantewada Forest Division at the cost of the user agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Dantewada Division 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 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 7.116 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, 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. 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;
- vi. 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/>);
- vii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- viii. No felling of trees shall be done in the RoW of 7.0 meters earmarked for stacking of soil. Stacking of soil shall be allowed for a temporary period of 2-3 weeks only;
- ix. The State Forest Department shall enumerate trees falling in the RoW of 7.0 meters proposed for stacking of soil. After completion of the project, the number of trees in the RoW of 7.0 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;
- x. After completion of pipeline laying work, the stacked soil shall be filled back into the trench and area will be restored to its natural state. The User Agency, in consultation with the State Forest Department, shall undertake gap plantation in the RoW of 7.0 meters with forestry species at project cost. A scheme of plantation, duly approved by the competent authority in the State Forest Department shall be prepared and implemented by the Agency and a copy of the same shall be submitted to the Regional Office along with the Stage-I compliance report;
- xi. Wherever possible, user agency in consultation with State Forest Department shall minimize the numbers of trees to be felled and maximum efforts shall be made to keep fully grown fruit bearing trees intact. A report on same shall be submitted to Integrated Regional Office along with compliance report of Stage-I approval;
- xii. The pipeline shall be laid down at least 1.5 meter below the ground and after lying down of pipe line the ground will be levelled.
- 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 on 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;

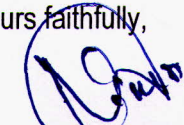


- xix. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
- xx. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xxi. The forest 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 on *e-portal* (<https://parivesh.nic.in/>);

After receipt of a report on the compliance of conditions no iii, iv (a), vi, vii, x, xi 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 Regional Officer, MoEF&CC, IRO, Raipur.

Yours faithfully,

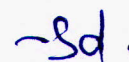


(N K Dimri)

Technical Officer (Gr-I)

Copy to:

1. The PCCF, Government of Chhattisgarh, Raipur
2. The Nodal Officer FCA, O/o of the PCCF, Government of Chhattisgarh, Raipur.
3. User Agency.
4. Guard File.



(N K Dimri)

Technical Officer (Gr-I)