

भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
उप-कार्यालय, रायपुर
अरण्य भवन, नार्थब्लॉक,
सेक्टर-19, नवा रायपुर, अटल नगर
छत्तीसगढ़ - 492002
ईमेल-iro.raipur-mefcc@gov.in



GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE
SUB- OFFICE RAIPUR
ARANYA BHAWAN, NORTH BLOCK, SECTOR-19, NAVA
RAIPUR, ATAL NAGAR, CHHATTISGARH - 492002
Email - iro.raipur-mefcc@gov.in

F.No. FC-8/27/2024-IRO-RAIPUR/147

Date: 29/10/2024

To

The Principal Secretary (Forests),
Govt. of Chhattisgarh,
Mantralaya, Mahanadi Bhawan
Nava Raipur, Atal Nagar, Chhattisgarh.

Sub: Diversion of 0.536 ha Forest land for non-forest Purpose under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 Proposed for Laying Underground OFC, in Kawardha Forest Division, District Kabirdham, the State of Chhattisgarh in favour of Senior Manager Telesonic Networks Private Limited (Online Proposal Registration no. FP/CG/OFC/154845/2022 - regarding.

Sir,


Kindly refer to the Government of Chhattisgarh letter no. F5-06/2024/10-2 dated 07.08.2024, and online application No. FP/CG/OFC/154845/2022 seeking prior approval of the Central Government under Section-2 (1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The said proposal has been examined in the in light of the relevant provisions of under the Adhiniyam, 1980 and guidelines issued thereunder.

After examination of the proposal, on the basis of the recommendation of the State Government, Chhattisgarh, the Central Government hereby accords '**In-principle**' approval under Section -2 (1) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980, for diversion of **0.536 ha.** in favour of Senior Manager Telesonic Networks Private Limited proposed for Laying Underground OFC (Linear) within existing Roads Right of Way (RoW) in Kawardha Forest Division, District Kabirdham, 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:** Cost of plantation (including ten years maintenance) of 100 trees shall be levied from the user agency towards compensatory afforestation. As far as possible, a mixture of local indigenous species along with 10% RET 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 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:** The State Government shall charge the Net Present Value (NPV) for the **0.536 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;
- v. 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. **Tree felling shall not be permitted in the diverted forest land;**
- vii. The User Agency shall furnish an undertaking for laying of underground OFC within the existing ROWs provided no damage is caused to any tree or wildlife.
- viii. After completion of the project the area under RoW should be reclaimed suitably.
- ix. 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)*;
- x. 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 the provision of Van (Sanrakshan Evam Samvardhan) Rules, 2023;
- xi. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xii. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xiii. No labour camp shall be established on the forest land;
- xiv. 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;
- xv. 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;
- xvi. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xvii. 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;
- xviii. The forest land shall not be used for any purpose other than that specified in the project proposal;



- xix. 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.
- xx. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of Comprehensive Guidelines of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.
- xxi. Any other condition that the Regional Office, Nagpur may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area shall be complied by the User Agency;
- xxii. In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the rules / guidelines issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980;
- xxiii. The State Government shall process and submit compliance report on the above conditions through online (<https://parivesh.nic.in/>).

After receipt of the Compliance report on the above conditions, the proposal will be considered to accord final approval. The in-principle approval shall be valid for a period of 2 years from the date of issue of the same. In the event of non-compliance of the above conditions within the stipulated period, this in-principle approval **shall be deemed to be null and void**;

This issues with the approval of Competent Authority of the Regional Office Nagpur.

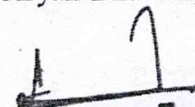
Yours faithfully,



(C. B. Tashildar)
AIGF (Central)

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 for information please.
2. The PCCF (HoFF), Government of Chhattisgarh, Aranya Bhawan, Sector-19, Nawa Raipur, Chhattisgarh.
3. The Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh, Aranya Bhawan, Nawa Raipur, Chhattisgarh.
4. User agency.
5. Guard file



(C. B. Tashildar)
AIGF (Central)