



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

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F. No. FC-I/CH-57/2016-NGP/1313

Dated: 3<sup>rd</sup> February, 2017

To

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

**Sub: Diversion of 1.80 ha of Revenue Forest land in favour of Executive Engineer (Civil), C.S.P.T.C.L Raigarh for construction of 132/33 KV Substation at Village Putkapuri (Kodatarai) in Raigarh District in the State of Chhattisgarh.**

Sir,

I am directed to refer to the State Government of Chhattisgarh's letter no. F-5-51/2016/10-2 dated 06.12.2016 on the above subject seeking prior approval of the Central Government under Section - 2 of the Forest (Conservation) Act, 1980 and the Addl. PCCF and Nodal Officer (FCA), Government of Chhattisgarh Maharashtra's letter no. Bhu-Prabandh/Vidyut/479-151/213 dated 25.01.2017 forwarding additional information as sought by the Regional Office, vide its letter of even number dated 5.01.2017 and to say that proposal has been examined in the Regional Office in light of relevant provisions of the Forest (Conservation) Act, 1980, Rules and Guidelines framed there under.

After careful examination of the proposal of the State Government and on the basis of recommendation of the State Government, the Central Government hereby accords 'in-principle' under Section -2 of the Forest (Conservation) Act, 1980 for diversion of 1.80 ha of Revenue Forest land in favour of Executive Engineer (Civil), C.S.P.T.C.L Raigarh for construction of 132/33 KV Substation at Village Putkapuri (Kodatarai) in Raigarh District 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 3.6 ha of degraded forest land shall be raised and maintained by the State Forest Department at the cost of the User Agency;
- (iii) 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;
- (iv) 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;

- (v) 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;
- (vi) 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;
- (vii) Wherever possible and technically feasible, the User Agency, in consultation with the State Forest Department, shall undertake, by involving local community, the afforestation measures within the area diverted under this approval, at the project cost;
- (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) 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;
- (xii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xiii) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xiv) 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;
- (xv) No damage to the flora and fauna of the adjoining area shall be caused;
- (xvi) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
- (xvii) The user agency shall undertake comprehensive soil conservation measures at the project cost in consultation with State Forest Department, if required, and a plan on the same may be submitted along with the compliance;
- (xviii) 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;
- (xix) 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;
- (xx) The User Agency shall submit six monthly self-compliance reports as on 1<sup>st</sup> January and 1<sup>st</sup> July of every year to this office as well as to the Nodal Officer of the State;
- (xxi) The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31<sup>st</sup> December of every year;



- (xxii) 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; and
- (xxiii) 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.

After receipt of a report on the compliance of conditions no (iii), (iv), (vi), (xvii), 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.

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. DCFs, Forest Divisions, Raigarh.
5. User Agency.
6. Guard File.



**Charan Jeet Singh**  
Scientist 'C'