

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
ARANYA BHAWAN, NORTH BLOCK, SECTOR-19,
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F.No. FC-I/IROCH-09/2021/440

Date: 04/01/2022

To,

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

Sub: Diversion of 4.493 ha. (Korba Forest Division 2.820 ha and Janjgir Champa 1.673 ha) of Revenue Forest land in favour of National Highway Authority of India (NHAI), proposal for Up-gradation of Champa-Korba-Chhuri-Katghora Section of NH-149 B, District- Janjgir - Champa and Korba, in the state of Chhattisgarh to two/ four lane with paved shoulder configuration, Package-I (0+00 to 38+150) - regarding.

Sir

The State Government of Chhattisgarh vide letter no. क्रमांक/एफ 5-22/2021/10-2 dated 01.09.2021 on the above mentioned proposal seeking prior approval of the Central Government under the Forest (Conservation) Act, 1980. Additional information was provided by the State Government of Chhattisgarh's vide letter no. क्रमांक/एफ 5-22/2021/10-2 dated 21.12.2021 and Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh vide his letter no. क्र ./भू -प्रबंध /विविध/115-764/8006 dated 09.12.2021, as sought by the Integrated Regional Office, Raipur vide its letter dated 09.11.2021. It is to say that the said proposal has been examined by the Integrated Regional Office in light of relevant provisions of the Forest (Conservation) Act, 1980 and Rules and Guidelines framed thereunder.

After examination of the proposal and on the basis of recommendation of the State Government, the Central Government hereby accords '**In-Principle**' approval under Section -2 of the Forest (Conservation) Act, 1980 for diversion of 4.493 ha. (Korba Forest Division 2.820 ha and Janjgir Champa 1.673 ha) of Revenue Forest land in favour of National Highway Authority of India (NHAI), proposal for Up-gradation of Champa-Korba-Chhuri-Katghora Section of NH-149 B, District- Janjgir - Champa and Korba, in the state of Chhattisgarh to two/ four lane with paved shoulder configuration, Package-I (0+00 to 38+150) 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 10 ha degraded forest land (Compartment No. PF-2355, Block- Kodagaar, Range- Pendra, Forest Division- Marwahi) at the cost of the user agency. As far as possible, a mixture of local indigenous 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:**
 - a. The State Government shall charge the Net Present Value (NPV) for the 4.493 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. Strip plantations on both sides and central verge of the road as per the IRC norms shall be raised by the State forest department by planting tall seedlings of 8-10 feet in height at the cost of User Agency, further; same shall be protected by chain linked fencing at least for initial three years of its growth. In forest patches, plantations of ornamental species should be avoided and preference shall be given to native forest tree species including fruit bearing tree species, like mango, banyan, tamarind, etc;
- ix. Speed regulating signage will be erected along the road at regular intervals in the Forest Areas;
- x. The reclamation of quarry should be done under the supervision of the State Forest Department. The quarry shall be reclaimed and afforested completely before the project is closed.
- xi. Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.
- xii. The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.
- xiii. The User agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department, if required. A scheme of the same shall be submitted to the Regional Office, along with the compliance of Stage-I approval.
- xiv. The User agency will formulate Wildlife Management Plan for species found in the project area as per mentioned by the DFO, Korba, and they should also prepare separate plan for avifauna as recommended by the CCF (Wildlife), at the project cost in consultation with the State Forest Department. The same shall be submitted to the Regional Office, along with the compliance of Stage-I approval.
- xv. NHAI shall develop a separate nursery at one or more places to raise at least 25,000 seedlings of forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous/local every year. At least 50% of seedlings shall be planted by User Agency in the vicinity of project area including forest area and for better relation with local people residing in vicinity of proposed road, NHAI shall voluntary distribute remaining 50% of seedlings to them free of cost. A compliance report including species wise details of seedlings raised, location of plantation area and details of villagers whom seedlings have been distributed need to be prepared every six month and submitted to Integrated Regional Office of MoEF&CC;
- xvi. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xvii. The layout plan of the proposal shall not be changed without prior approval of Central Government;



- xviii. The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to waterlogging, and also does not hamper movement of wild animals.
- xix. No labour camp shall be established on the forest land;
- xx. 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;
- xxi. 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;
- xxii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xxiii. 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;
- xxiv. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xxv. 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;
- xxvi. 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;
- xxvii. 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;
- xxviii. 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), v, vi, viii, xi, xiv, xv 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 effected by the State Government till formal order approving the diversion of forest land is issued by the Central Government.

Yours faithfully,

Chh
31/1/22
Chaturbhuja Behera
Inspector General of Forests

Copy to:

1. The PCCF & HoFF, Government of Chhattisgarh, Sector-19, Aranya Bhavan, Atal Nagar, Nava Raipur (CG).
2. The Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh, Sector-19, Aranya Bhavan, Atal Nagar, Nava Raipur (CG).
3. Director (ROHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi.
4. User Agency.
5. Guard File.

Chh
31/1/22
Chaturbhuja Behera
Inspector General of Forests