

भारत सरकार
पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय
एकीकृत क्षेत्रीय कार्यालय,
अरण्य भवन, नार्थ ब्लॉक,
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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-12/2022 /953

Date: 03/10/2022

To,

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

Sub: Diversion of 6.50 ha forest land in favour Tribal Development Kanker for Establishment of Eklavya Modern Residential School, under Forest Conservation Act, 1980 at Village-Surhi, Tehsil-Narharpur, District North Baster Kanker in the State of Chhattisgarh-reg

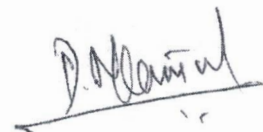
The undersigned is directed to refer to Government of Chhattisgarh vide letter no. F-5-14/2022/10-2 dated 20.09.2022 and APCCF, Nodal Officer (FCA), Chhattisgarh vide letter no. LM/Misc./115-922/2078 dated 13.09.2022 on the above subject seeking prior approval of the Central Government under Section-2 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 careful 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 6.50 ha forest land in favour Tribal Development Kanker for Establishment of Eklavya Modern Residential School, under Forest Conservation Act, 1980 at Village-Surhi, Tehsil-Narharpur, District North Baster Kanker in the State of Chhattisgarh subject to the fulfillment of the following conditions

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. **Compensatory Afforestation:**
 - a) Compensatory afforestation shall be taken up by the User Agency carried out in equal area of 6.50 ha revenue land in Dugurkondal range at khasra no. 66 in East Bhanuparatappur Forest Division, Kanker 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;
 - b) The non-forest land which has been transferred and mutated in favour of the State Forest Department.
- 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 6.50 ha 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;

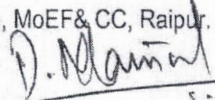
- b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect;
- v. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portai (<https://parivesh.nic.in/>);
 - vi. State Government shall take appropriate action against the violation as per the provisions of MoEF&CC's guideline dated 29.01.2018 and penal NPV shall be charged accordingly. A detail report in this regard shall be submitted along with the compliance report;
 - vii. 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, 2022 dated 28.06.2022;
 - viii. 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;
 - ix. The maximum number of trees in the proposal shall be kept intact. User Agency shall give an undertaking stating that plantation work will be carried out in the proposed area or school premises, as per availability of blank area;
 - x. **The proposal considered only site-specific projects on forest land, State Government must be find alternative land for non-site-specific future projects. The State Government shall submit a certificate from the side of the Chief Secretary, Government of Chhattisgarh for non-availability of Private and Government land for such proposal. The same shall submit along with the Stage-I Compliance report by the state Government.**
 - xi. The concerned DFO will recheck the rare species of flora and fauna mentioned in the proposed area and shall submit a report in this regard certificate shall be submitted along with Stage-I compliance;
 - xii. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
 - xiii. The layout plan of the proposal shall not be changed without prior approval of Central Government;
 - xiv. No labour camp shall be established on the forest land;
 - xv. 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;
 - xvi. 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;
 - xvii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
 - xviii. 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;
 - xix. The forest land shall not be used for any purpose other than that specified in the project proposal;
 - xx. 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.



- xxi. 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;
- xxii. 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;
- xxiii. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of a satisfactory compliance report from the State Government in respect of condition no. (ii), (iii) (iv), (vii), (viii), (ix), (x), (xi), (xv), (xvi) 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.

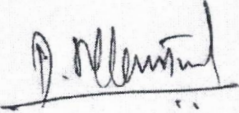
This issues with the approval of IGF (C)/ Regional Officer (Central), Integrated Regional Office, MoEF&CC, Raipur.


Dr. D. Manjunatha, IFS 4/10/2022

Deputy 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, Nava Raipur, C.G
3. The Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh, Aryan Bhawan, Nawa Raipur, Chhattisgarh.
4. User agency (~~Project Manager ADB Project Raipur, C.G.~~).
5. Guard file


Deputy Inspector General of Forests 4/10/2022