

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  
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File No. FC-I/IROCH-16/2022 /962  
To,

Date: 12/10/2022

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

**Sub: Diversion of 4.83 ha forest land in favour Tribal Development Kanker for Establishment of Eklavya Morden Residential School, under Forest Conservation Act, 1980 at Village-Bhandardigi, Tehsil-Durgkondal, District North Baster Kanker in the State of Chhattisgarh-reg.**

Sir,

Kindly refer to the State Government of Chhattisgarh vide letter no. F-5-18/2022/10-2 dated 27.09.2022 on the above subject seeking prior approval of the Central Government under Section - 2 of the Forest (Conservation) Act, 1980 and Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh vide his letter no. क्र./भू -प्रबंध /विविध/115-929/2143 dated 19.09.2022. 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 4.83 ha forest land in favour Tribal Development Kanker for Establishment of Eklavya Morden Residential School, under Forest Conservation Act, 1980 at Village-Bhandardigi, Tehsil-Durgkondal, District North Baster Kanker 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 User Agency carried out in Revenue land of 4.830 ha. in Dugurkondal range at khasra no. 109,68,132 (of 21.440 Ha) 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 proposed non-forest CA land shall be transferred and mutated in favour of the State Forest Department before Stage-II clearance.
- 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 provisions for anticipated cost escalation for works scheduled for subsequent years;

iv. **NPV:**

- a) The State Government shall charge the Net Present Value (NPV) for the 4.83 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. 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 order for handing over of forest land to the User Agency as per Rule- 9 (6) (b) (ii) of Forest (Conservation) Rules, 2002 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. 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 Forest (Conservation) Act, 1980 and action shall be taken as per the MoEF&CC Guideline F. No. 11- 42/2017-FC dt 29/01/2018;
- xxi. 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 shall apply;
- xxii. 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), (xv), and undertakings, duly authenticated by the competent authority in the State Government and fulfilment of all other necessary conditions, formal approval will be considered under Section-2 of the Forest (Conservation) Act, 1980.

Yours faithfully,

**Chaturbhuja Behera**  
**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.
5. Guard file

*Chaturbhuja*  
*12/10/22*  
**Inspector General of Forests**