

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.

Dated: 13th December, 2021

To

The Principal Secretary (Forests)
Government of Chhattisgarh
Mahanadi Bhawan, Naya Raipur (Chhattisgarh)

Sub: Proposal for non-forestry use of 255.3 ha of forest land under Forest (Conservation) Act, 1980 in favour of Dy Director Achanakmar Tiger Reserve (ATR) for relocation of villages in Mungeli Forest Division from the core area of ATR in Bilaspur District (Chhattisgarh) - reg.

Sir,

I am directed to refer to the Government of Chhattisgarh's letter No. F 5-13/2020/10-2 dated 14.10.2020 on the above subject seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980 and letter no. F 5-13/2020/10-2 dated 04.09.2021 forwarding additional information as sought by the Ministry vide its letter of even number dated 23.07.2021 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section - 3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, and approval of the same by the competent authority of the MoEF&CC, New Delhi, the Central Government hereby accords 'in-principle' approval under Section - 2 of the Forest (Conservation) Act, 1980 for non-forestry use of 255.3 ha of forest land under Forest (Conservation) Act, 1980 in favour of Dy Director Achanakmar Tiger Reserve (ATR) for relocation of villages in Mungeli Forest Division from the core area of ATR in Bilaspur District (Chhattisgarh) subject to fulfilment of the following conditions:

A. Conditions which need to be complied prior to handing over of forest land by the State Forest Department and compliance is to be submitted prior to Stage-II approval

- i. State Government shall submit the certificate of compliance under FRA, in both the areas i.e. the area being vacated and the area where the people will be relocated.
- ii. The area to be vacated shall be mutated in the name of State Forest Department and notified as RF/PF.
- iii. State Government shall ensure that the area under the three villages that are proposed to be shifted outside the Achanakmar Tiger Reserve (ATR) will become inviolate after the shifting and not a single family, person or household is left within any of these villages for further relocation.
- iv. The State Govt. shall submit the approved R&R Plan from the concerned authority; and
- v. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

B. Conditions which need to be complied on field after handing over of forest land to the user agency by the State Forest Department and undertaking in this respect shall be submitted prior to Stage-II approval

- i. Legal status of the diverted forest land may be changed to non-forest land by the State in accordance with Hon'ble Supreme Court order dated 28.01.2019 and Ministry's Guidelines dated 20.05.2019;
- ii. State Government shall take effective steps to ensure that the villagers who are being relocated from the core area, do not return to the area.
- iii. No labour camp shall be established on the forest land and 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;
- iv. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under the supervision of the State Forest Department.
- v. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- vi. The layout plan of the proposal shall not be changed without the prior approval of the Central Government and the forest land shall not be used for any purpose other than that specified in the proposal;
- vii. The forest land proposed to be diverted may be transferred by the State Government to villagers being rehabilitated;
- viii. No damage to the flora and fauna of the adjoining area shall be caused;
- ix. The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year;
- x. Any other condition that the concerned Integrated Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife;
- xi. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project; and
- xii. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully
Sd/-
(Charan Jeet Singh)
Scientist 'D'

Copy to:

1. The PCCF & HoFF, Government of Chhattisgarh, Raipur
2. Regional Officer (Central), Integrated Regional Office, Raipur
3. The Nodal Officer, O/o the PCCF, Government of Chhattisgarh, Raipur
4. User Agency
5. Monitoring Cell of FC Division
6. Guard file