



File No. FC-8/21/2023-IRO-RAIPUR /1563

Date: 02/02/2024

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To,

The Principal Secretary (Forests),
Govt. of Chhattisgarh, Forest Department,
Mantralaya, Mahanadi Bhavan,
Nava Raipur (CG) - 492001

Sub: Diversion of 169.0231 ha (77.3042 ha in Korba Forest Division, 90.9718 ha in Dharamjaigarh Forest Division and 0.7471 ha. in Jaspur Forest Division) of forest land under Forest Conservation Act, 1980 in favour of Project Director National Highway Authority of India, for Development of Urga-Pathalgaon Section of NH-130A (Raipur-Dhanbad Economic Corridor), from Km 70.200 to 157.745 Km in Korba, Dharamjaigarh & Jaspur Districts in the State of Chhattisgarh-reg.

Sir,

Kindly refer to the letter no. F-53/2023/10-2 dated 23.11.2023 of the State Government and letter no. LM/Misc./115-899/2435, dated 17/10/2023 of APCCF, Nodal Officer (FCA), Chhattisgarh, on the above subject seeking prior approval of the Central Government under Section- 2 of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980. Additional information was provided vide letter no./भू-प्रबंध/विविध/115-899/236 dated 24.01.2024 by mail, and vide letter no. F-5-53/2023/10-2 dated 31.01.2024 of the State Government of Chhattisgarh, in response to this Office letter of even number dated 16.01.2024. The said proposal has been examined in the Integrated Regional Office in light of the relevant provisions of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 Guidelines issued thereunder and approved by the Regional Empowered Committee constituted under Section -4 of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980.

After 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**' approval for Diversion of 169.0231 ha (77.3042 ha in Korba Forest Division, 90.9718 ha in Dharamjaigarh Forest Division and 0.7471 ha. in Jaspur Forest Division) of forest land under the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 in favour of Project Director National Highway Authority of India, for Development of Urga- Pathalgaon Section of NH- 130A (Raipur-Dhanbad Economic Corridor), from Km 70.200 to 157.745 Km in Korba, Dharamjaigarh & Jaspur Districts in the State of Chhattisgarh subject to the fulfillment of the following condition in addition all other standard conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. **Compensatory Afforestation:**
 - a) Compensatory afforestation shall be taken up by the Forest Department over 171.4929 ha area spread in 9 patches of Non-forest land in Balodabazar Forest Division. Details are as under:

S. No.	Survey no./ Khasra no.	Village/Tehsil	Range	Area (in Ha)
1.	377	Amlidih / Bhatapara	Bhatapara	12.00

2.	24/1	Gadakushmi /Sandi	Baloudabazar	15.6553
3.	87/1/k	Ahilda /Lavan	Balodabazar	25.1921
4.	1643/4	Kodva /Bhatapara (Sub-Tehsil Nipaniya)	Bhatapara	39.473
5.	1/1, 1040/1/k/1	Koshmanda /Bhatapara	Bhatapara	10.250
6.	8/1, 85/1, 404/1k	Pandriya /Lavan	Balodabazar	18.000
7.	452	Telashi /Pallari	Shonakhan	14.705
8.	586/1	Balaudi /Pallari	Baloudabazar	19.9026
9.	243/1	Chichirda /Lavan	Baloudabazar	16.3149
Total area (In Ha.)				171.4929

The Compensatory afforestation area has been identified in Balodabazar Forest Division, Dist- Balodabazar-Bhatapara. The Compensatory afforestation will be carried out at the cost of the user agency. As far as possible, mixture of local indigenous species shall be planted and monoculture of any species may be avoided;

- b) The non-forest land transferred and mutated in favour of the State Forest Department or the revenue forest land, as the case may be, shall be notified by the State Government as Protected Forests under section 29 of the Indian Forest Act, 1927 or under the relevant section(s) of the local Forest Act, before issue of the 'Final' approval under the Adhiniyam. The Nodal Officer shall report compliance in this regard along with a copy of the original notification declaring the non-forest land as PF, along with compliance of 'in-principle' approval;
- 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 169.0231 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, letter No. 5-2/2006-FC dated 03/10/2006, letter No. 5-3/2007-FC dated 05/02/2009 and letter No. 5-3/2011-FC (Vol-I) dated 06.01.2022 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-portai (<https://parivesh.nic.in/>);
- 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- 11 sub-rule (7) of Van (Sanrakshan Evam Samvardhan) Rules, 2023 dated 29.11.2023;

- viii. **The proposed project is passing through Lemru Elephant Reserve, and hence necessary approval of National Board for Wildlife is to be obtained for the purpose. The Nodal Officer shall report compliance in this regard along with the compliance of 'in-principle' approval;**
- ix. Suitable site-specific wildlife mitigation plan (including required number underpasses etc at suitable places) shall be prepared and duly approved by the CWLW. Such mitigation plan and all other recommendation of the SC-NBWL shall be implemented at the project cost. The Nodal Officer shall report compliance in this regard along with the compliance of 'in-principle' approval;
- x. Site-specific Soil Conservation Plan shall be prepared and implemented at the project cost and copy of the such plan shall be submitted to the sub office Raipur. The Nodal Officer shall report compliance in this regard along with the compliance of 'in-principle' approval;
- xi. The State Government of Chhattisgarh/ Nodal Officer (FCA), Forest Department of Chhattisgarh shall ensure all structures proposed by the user agency such as 21 minor bridges, 6 Major bridges, 27 Major bridges cum viaduct, 1 Elephant Overpasses, 11 Elephant Underpasses, 2 Overpasses, 1 Flyover, 18 Light Vehicle Underpasses, 6 Vehicle Underpasses, 1 ROBs, 159 Box Culverts, 69 Box Culverts etc;
- xii. The trees having bird nests both in forest as well as non-forest land shall not be felled without written permission from the DFOs concerned;
- xiii. The user agency shall arrange to raise strip plantation on either side of the road and central verge at project cost, as per IRC specification, with maintenance of 7-10 years. The user agency shall also submit design of providing at least 2-3 rows of long rotation indigenous trees, as per provision of IRC-SP-21-2009 (Guidelines on landscaping & tree plantation), on either side of the road before final clearance;
- xiv. 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;
- xv. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;
- xvi. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xvii. Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost;
- 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 water-logging, and also does not hamper movement of wild animals.
- xix. No labour camp shall be established on the forest land and the User Agency shall provide firewood 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;
- xx. 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;
- xxi. The layout plan of the proposal shall not be changed without prior approval of Central Government;

- 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 Van (Sanrakshan EvamSamvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of Comprehensive Guidelines of Van (Sanrakshan EvamSamvardhan) Adhiniyam, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.
- 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 from the State Government on the compliance of conditions no. ii, iii, iv (a), v, vii, viii, ix, x, xi, xii, xiii, xvi, xvii and undertakings in respect of rest of the conditions as indicated above, duly authenticated by the competent authority of the State Government, formal approval will be considered in this regard under Section- 2 (i) of the of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 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,

Chubey
8/2/24
Chaturbhuja Behera, IFS,
Inspector General of Forests.

Copy to:-

1. The PCCF (HoFF), Government of Chhattisgarh, Aranya Bhawan, Sector-19, Nava Raipur, C.G.
2. The Addl. PCCF & Nodal Officer (FCA), Government of Chhattisgarh, Aryan Bhawan, Nava Raipur, Chhattisgarh.
3. The Inspector General of Forests (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi- 110003.
4. User agency.
5. Guard file

Chubey
8/2/24
Chaturbhuja Behera, IFS,
Inspector General of Forests.