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पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय
उप- कार्यालय,
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GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE
SUB - OFFICE
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File No. FC-8/22/2023-IRO-RAIPUR/1591

Date: 29/02/2024

To,

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

Sub: **Diversion of 2.025 ha Forest land for non-forest purpose under forest conservation Act, 1980 in favour of Jayaswal NECO Industry Limited Siltara, Raipur proposed for alternative Approach Road for transportation of iron ore at Chhotedongar Iron Ore Mine, Narayanpur District in the State of Chhattisgarh- reg.**

Sir,

Kindly refer the letter no. F-5-18/2023/10-2 dated 16.08.2023 of Government Chhattisgarh, on the above subject seeking prior approval of the Central Government under Section-2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Additional information was provided by the State Government of Chhattisgarh vide letter no. F 5-18/2023/10-2 dated 07.02.2024 as sought by Regional Office letter of even number dated 19.12.2023. It is to say that the said proposal has been examined by the Regional Office in light of relevant provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Rules and Guidelines framed thereunder.

After examination of the proposal and on the basis of the recommendation of State Government, Chhattisgarh, the Central Government hereby accords '**In-principle**' approval under Section -2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 2.025 ha Forest land for non-forest purpose in favour of Jayaswal NECO Industry Limited Siltara, Raipur proposed for alternative approach road for transportation of iron ore at Chhotedongar Iron Ore Mine, Narayanpur District 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. **The proposed road is a haul road and will not be converted to paved road. Width of RoW (right of way) for the Road shall be limited to 20 m. Old road approved by the ministry which is included on 91.00 ha proposal (Diversion of remaining 101.25 ha of forest land (Originally applied area for 192.25 out of which 91.0 ha 'in-principle' approved) in favour of M/s Jayaswal NECO Industries Limited for mining of iron ore located in village Chhote Donger, District Narayanpur, State Chhattisgarh) will be used exclusively for security purposes only;**

- iii. The proposed roads after the completion of the project with the existing carriageway in the forest area, which will not be used, shall be plantation/re-vegetation of indigenous species work done by the concerned forest department at the cost of the user agency and the land shall be handed over back to the State Forest Department.
- iv. **Compensatory Afforestation:**
- a) Compensatory afforestation shall be taken up by the Forest Department carried out in equal area of 2.025 ha Non-Forest land (Private land) in Village-Kaudosalhebhat, Koylibeda range at khasra no. 18 in West 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 transferred and mutated in favour of the State Forest Department and NFL shall be notified by the State Government as RF under Section-4 or 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 Adhinyam. The Nodal Officer shall report compliance in this regard along with a copy of the original notification declaring the non-forest land as RF/PF, along with compliance of 'in-principle' approval;
- v. The cost of Compensatory Afforestation at the current 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 to the Forest Department by the User Agency. The CA will be maintained for 10 years. The CA scheme may include afforestation of indigenous species with appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- vi. The compensatory afforestation scheme, as approved, shall be implemented by the State Forest Department at the project cost within a period of three years from the date of grant of 'Final' approval;
- vii. **NPV:**
- a) The State Government shall charge the Net Present Value (NPV) for the 2.025 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, becomes 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;

- 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. 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/>);
- x. The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting 4 feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;
- xi. 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 (7) of Van (Sanrakshan Evam Samvardhan) Rules, 2023 dated 29.11.2023;
- xii. The forest land shall not be used for any purpose other than that specified in the proposal;
- xiii. User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms;
- xiv. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;
- xv. To improve the Forest/Tree cover and to reduce pollution, as mandated in National Forest Policy, 1988 and Environmental (Protection) Act, 1986 respectively, the User Agency shall raise 7500 plants of forestry species along with bamboo, fruit bearing, medicinal, ornamental indigenous/local for 10 years. At least 50% of seedlings shall be planted in the vicinity of project area and remaining 50% of seedlings shall be distributed among villagers as per choice of villagers. The concerned JFMC's shall maintain record of plantation/ seedling distribution to villagers;
- xvi. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xvii. The State Forest Department shall ensure that all proposed structures provide safe passage for the smooth movement of wildlife and cattle as suggested by the Wildlife Institute of India in manual entitled "Eco-friendly Measures to Mitigate Impacts of Linear Infrastructure on Wildlife, published in 2016.
- xviii. No labour camp shall be established on the forest land;
- xix. 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;
- xx. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xxi. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;

- xxii. 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;
- xxiii. 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.
- xxiv. 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.
- xxv. 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.
- xxvi. 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 (a), xiii, 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.

This issues with the approval of the Competent Authority.

Yours faithfully,

Chubey
29/2/24
Chaturbhuja Behera, IFS,
Inspector General of Forests.

Copy to:-

1. The Director (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi- 110003.
2. The PCCF (HoFF), Government of Chhattisgarh, AranyaBhawan, 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

Chubey
29/2/24
Chaturbhuja Behera, IFS,
Inspector General of Forests.