

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

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

Dated: 29th November, 2022

To

The Principal Secretary (Forests),
Government of Jharkhand,
Ranchi.

Sub: Proposal for non-forestry use of 166 ha of forest land for rehabilitation of village Kurjum from Palamau Tiger Reserve to Lai-Pailapathal Reserved Forests in Latehar Forest Division, District Latehar (Jharkhand) - reg.

Sir,

I am directed to refer to the Government of Jharkhand's letter No. Van Bhumi-27/2021-354/ V.P. dated 10.02.2022 on the above subject seeking prior approval of the Central Government under section 2 of the Forest (Conservation) Act, 1980 and letter No. Van Bhumi-20/2021-1598/ V.P. dated 08.06.2022 and letter No. Van Bhumi-20/2021-2414/ V.P. dated 18.08.2022, forwarding additional information as sought by the Ministry vide its letter of even number dated 23.02.2022 and 07.07.2022 respectively, 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 166 ha of forest land for rehabilitation of village Kurjum from Palamau Tiger Reserve to Lai-Pailapathal Reserved Forests in Latehar Forest Division, District Latehar (Jharkhand) subject to fulfillment 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. The area of Palamau Tiger Reserve to be vacated shall be mutated in the name of State Forest Department and notified as RF/PF;
- ii. The State Government shall ensure that the area under the villages which is proposed to be shifted outside the Palamu Tiger Reserve will become inviolate after the shifting and no families are left within these villages for further relocation;
- iii. The correct and complete KML files of the area proposed for diversion, area of Palamau Tiger Reserve to be vacated shall be uploaded on the e-

Green watch portal with all requisite details before handing over the forest land to the user agency;

- iv. The State Government shall ensure that complete process for recognition and identification of rights as per the provisions of the Forest Rights Act, 2006 has been completed in the area proposed for diversion and area of Palamau Tiger Reserve proposed to be vacated in accordance with the relevance guidelines issued by the Ministry in this regard and compliance of the same shall be submitted along with Stage-I compliance;
- 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. The rights of the villagers in the area to be vacated from the Palamau Tiger Reserve will be extinguished in accordance with the relevant statutes to ensure that in future the area remains free from all encumbrances;
- iii. The State Government shall take effective steps to ensure that the villagers being relocated from the core area do not return to the area. The rights of the relocated persons over the vacated land shall be legally extinguished using the due procedure as prescribed in the the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
- iv. No labour camp shall be established on the forest land and the User Agency shall provide fuels, preferably fuels other than firewood, to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- v. 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.
- vi. The user agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- vii. 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;
- viii. The forest land proposed to be diverted may be transferred by the State Government to villagers being rehabilitated;
- ix. The forest land shall not be used for any purpose other than that specified in the proposal;
- x. No damage to the flora and fauna of the adjoining area shall be caused;
- xi. 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;
- xii. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife;

- xiii. 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
- xiv. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action shall 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 fulfillment 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

(Preet Pal Singh)
Dy. Inspector General of Forests

Copy to:

1. The Principal Chief Conservator Forests, Government of Jharkhand, Ranchi
2. The Nodal Officer, O/o the PCCF, Government of Jharkhand, Ranchi
3. The Regional Officer (Central), Integrated Regional Office, Ranchi.
4. User Agency
5. Monitoring Cell of FC Division, MoEF&CC
6. Guard file