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GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FORESTS &
CLIMATE CHANGE
SUB -OFFICE
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File No. FC-I/IROCH-20/2023/1614

Date: - 28/03/2024

To,

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

Sub: Diversion of Forest land for non-forest purpose under forest conservation Act, 1980 proposed for the rehabilitation and Upgrading of Dewari- Saldih- Gadphuljhar-Toshgaon- Toreshingha Road area – 2.767 ha. Mahasamund District in the State of Chhattisgarh- reg.

Sir,

Kindly refer to the letter no. F-5-12/2022/10-2 dated 06.12.2022 of the State Government of Chhattisgarh, on the above subject seeking prior approval of the Central Government under Section -2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. It is to say that after examination of the proposal of the State Government, 'In-principle' approval was accorded by the Central Government vide its letter dated 24/04/2023. The State Government of Chhattisgarh has now submitted a report on the compliance of conditions stipulated in the 'in-principle' approval and requested for final approval of the proposal.

In this connection, it is informed that on the basis of compliance report submitted by the letter no. Krmank/ F-5-12/2022/10-2 dated 29.11.2023 of Government of Chhattisgarh and letter no. Bhu-Prabandh/Misc./115-724/2287 dated 04.10.2023 of the Addl. PCCF and Nodal Officer (FCA), Government of Chhattisgarh and on the recommendation by the State Government, the Central Government hereby accords **“Final /Stage-II Approval”** under Section- 2 (i) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of **2.767 ha.** of forest land for non-forest purpose for the rehabilitation and Upgrading of Dewari- Saldih- Gadphuljhar-Toshgaon- Toreshingha Road, Mahasamund District in the state of Chhattisgarh, which is subject to the fulfilment of the following 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 **5.534 ha.** of Orange Forest Land, Compartment number OA-469, Forest range- Bagbahra, Mahasamund Forest Division, District- Mahasamund at the cost of User Agency. As far as possible, a mixture of local indigenous species along with 10% RET species of Raipur District shall be planted and monoculture of any species may be avoided. The User agency shall make necessary facility/ construction in the area to meet the water requirement for plantation and for wild animals throughout the year;
 - b. The non-forest land which has been transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as

Reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the State Forest Act. The Nodal Officer, Forest (Conservation) Act, 1980 may report compliance within a period of six (6) months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, to this Office for information and record;

- 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) 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. 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 the Van (Sanrakshan Evam Samvardhan) Rules, 2023 dated 29.11.2023;
- vi. User agency shall restrict the felling of trees to minimum number in the diverted forest land. 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;
- vii. 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/>);
- viii. 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;
- ix. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- x. User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms;
- xi. Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;
- xii. 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 and indigenous in the vicinity of project area preferably near the proposed road. A compliance report including species wise details of seedlings raised location of plantation area and details of villagers whom seedlings have been distributed need to be prepared every six month and submitted to Regional Office of MoEF&CC.
- xiii. Width of right of way for the Road shall be limited to **14m**;

- xiv. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- xv. 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.
- xvi. No labour camp shall be established on the forest land;
- xvii. 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;
- xviii. The forest land shall not be used for any purpose other than that specified in the proposal;
- xix. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xx. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xxi. 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;
- xxii. 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.
- xxiii. 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.
- xxiv. 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.
- xxv. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

This issues with the approval of the Competent Authority.

Yours faithfully,

Chaturbhuja Behera
28/3/24
Chaturbhuja Behera, IFS,
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, Nawa 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 Behera
28/3/24
Chaturbhuja Behera, IFS,
Inspector General of Forests.