

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

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

Dated: August, 2023

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) - Submission of Stage-I compliance regarding.

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. After careful examination and recommendation of the proposal by the Forest Advisory Committee, constituted under Section-3 of the said Act, 'in-principle' approval under the Forest (Conservation) Act, 1980 was granted vide this Ministry's letter of even number dated 13.12.2021 subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter No. F 5-13/2020/10-2 dated 07.07.2022 and letter No. F 5-13/2020/10-2 dated 12.07.2023, final approval of the Central Government is hereby granted 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 fulfillment of the following conditions:

- 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 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 no families are left with in these villages for further relocation;
- iii. State Government shall ensure that the area under the three villages that are

- proposed to be shifted outside the Achanakmar Tiger Reserve (ATR) shall be developed as per approved Management Plan/NTCA guidelines;
- iv. The State Government shall ensure that the rights of the villagers in the area to be vacated from the Achanakmar Tiger Reserve (ATR) will be extinguished in accordance with the relevant statutes to ensure that in future the area remains free from all encumbrances;
 - v. The 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.
 - vi. The correct and complete KML files of the area proposed for diversion, area of Achanakmar Tiger Reserve (ATR) 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;
 - vii. 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 Achanakmar Tiger Reserve (ATR) proposed to be vacated in accordance with the relevance guidelines issued by the Ministry in this regard;
 - viii. 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;
 - ix. 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;
 - x. The State Govt. will ensure that the forest area under diversion becomes inviolate and developed in wildlife habitat and no reverse migration take place.
 - xi. The forest land proposed to be diverted may be transferred by the State Government to villagers being rehabilitated;
 - xii. The forest land shall not be used for any purpose other than that specified in the proposal;
 - xiii. The State Government shall ensure that no damage to the flora and fauna of the adjoining area shall be caused;
 - xiv. 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;
 - xv. 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;
 - xvi. 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;
 - xvii. 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; and

- xviii. The State Government and user agency shall ensure compliance of all conditions stipulated in the Stage-I approval letter of even number dated 29.11.2022 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (s) and NGT Order (s) if any, pertaining to this project for the time being in force, as applicable to the project.

Yours faithfully,

Sd/-

(Dr. Dheeraj Mittal)

Assistant Inspector General of Forests

Copy to:

1. The PCCF & HoFF, Government of Chhattisgarh, Raipur
2. DDGF(C), Regional Office, Nagpur, MoEF&CC.
3. IGF(C), sub-office, Raipur, MoEF&CC.
4. The Nodal Officer (FCA), Government of Chhattisgarh, Raipur.
5. User Agency.
6. Monitoring Cell of FC Division.