

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

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Indira Paryavaran Bhawan,  
Jor Bag Road, Aliganj  
New Delhi - 110003.  
**Dated: 15<sup>th</sup> March, 2024**

To


**The Principal Secretary (Forests),**  
Government of Chhattisgarh,  
Raipur.

**Sub: Proposal seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 174.510 ha of forest land in favour of Executive Engineer, Water Resources Division, Gariyaband for construction of Piperchhedi Tank in Gariyaband Forest Circle, Distt. Gariyaband in the State of Chhattisgarh (Online proposal No. FP/CG/IRRIG/20296/2014)**

Sir,

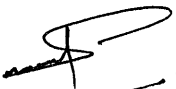
I am directed to refer to the Government of Chhattisgarh's letter No. F-5-53/2016/10-2 dated 24.12.2016 on the above subject seeking prior approval of the Central Government under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After careful examination of the proposal by the Forest Advisory Committee, constituted under Section-3 of the said Act, 'in-principle' approval to the proposal under the Forest (Conservation) Act, 1980 was granted vide this Ministry's letter of even number dated 17.12.2018 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 5-53/2016/10-2 dated 3.01.2022, letter no. F-5-53/2016/10-2 dated 09.03.2023 and letter no. F-5-53/2016/10-2 dated 06.07.2023 received in this Ministry through email on 04.03.2024, Stage\_II/ final approval of the Central Government is hereby granted under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for non-forestry use of 174.510 ha of forest land in favour of Executive

  
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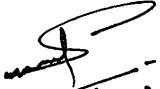
Engineer, Water Resources Division, Gariyaband for construction of Piperchheddi Tank in Gariyaband Forest Circle, Distt. Gariyaband in the State of Chhattisgarh, subject to following conditions:

1. Legal status of the diverted forest land shall remain unchanged;
2. **Compensatory Afforestation:**
  - i. The State Government shall ensure that compensatory afforestation is raised over orange forest land/revenue forest, double in extent to the forest land being diverted i.e. 350.03 ha, for which notification u/s section 4 of Indian Forest Act, 1927 has been issued by the State Govt. vide notification No. F 5-53/2016/10-2 (Part) dated 23.05.2023. The Compensatory Afforestation shall be raised within three years from the date of issue of Stage– II approval and maintained thereafter as per approved plan by the State Forest Department at the cost of the User Agency;
  - ii. Soil and Moisture conservation activities in the CA land shall be implemented along with the CA schemes from the funds already deposited by the user agency;
3. The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
4. The Catchment Area Treatment Plan, as approved by competent authority of the State, shall be implemented/executed by the user agency/Forest Department at the project cost;
5. The Wildlife Management Plan, as approved by the competent authority in the State, shall be implemented/executed by the State Forest Department at the project cost;
6. Water from the reservoir shall be provided free of cost to the Forest Department for raising and maintenance of plantations, and nurseries around the site wherever required;
7. The user agency shall undertake afforestation along the periphery of reservoir and canals, as applicable;
8. The user agency shall carry out muck/silt disposal at pre-designated sites in such a manner so as to avoid its rolling down;
9. The dumping area of muck/silt disposal shall be stabilized and reclaimed by planting suitable species by the user agency at project cost under the supervisions the State Forest Department. Retaining walls and terracing shall be carried out to hold the dumping material in place. Stabilization and

  
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reclamation of such dumping sites shall be completed before handing over the same to the Forest Department in a time bound manner as per Plan;


10. The State Government and user agency shall ensure that trees available between full reservoir level (FRL) level and FRL-4 meters are not felled;
11. The State Government shall ensure that the User Agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work. The said R&R Plan will be monitored by the State Government / Regional Office of MoEF&CC along with indicators for monitoring and expected observable milestones;
12. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
13. 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 in a phase wise manner and under the strict supervision of the State Forest Department;
14. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
15. The State Govt. and the user agency shall ensure that no labour camp shall be established on the forest land;
16. 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;
17. The State Govt. and the user agency shall ensure that the layout plan of the proposal shall not be changed without the prior approval of the Central Government;
18. The State Govt. and the user agency shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal;
19. The State Govt. and the user agency shall ensure that the forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
20. The State Govt. and the user agency shall ensure that no damage to the flora and fauna of the adjoining area shall be caused;
21. The State Government shall ensure that process for settlement of rights

  
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under the Forest Rights Act, 2006 has been completed as per the relevant guidelines issued by the Ministry in this regard;

22. 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 shall be carried with by the State Government and user agency;
23. 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;
24. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Consolidated Guidelines and Clarifications on Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter dated 29.12.2023;
25. 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 regularly; and
26. The State Government and user agency shall ensure compliance to all conditions stipulated in the 'in-principle' approval letter dated 17.12.2018 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, or the time being in force, including compliance of the Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006, before handing over the forest land to the user agency.

Yours faithfully,

  
(Suneet Bhardwaj) 15/03/2024

Assistant Inspector General of Forests

**Copy to:**

1. The Principal Chief Conservator of Forests, Government of Chhattisgarh, Raipur
2. The Dy. Director General, Regional Office, MoEF&CC, Raipur

3. The Nodal Officer, Forest Deptt., Government of Chhattisgarh, Raipur
4. User Agency.
5. The Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading.

