

प्रति,

वनमंडलाधिकारी,
सा0 वन मण्डल, दक्षिण सागर,
मध्यप्रदेश।

विषय:-जिला सागर के अन्तर्गत आपचंद मध्यम सिंचाई परियोजना के निर्माण हेतु 181.39 हेक्टेयर (आनलाईन रकबा 182.16 हे0) वनभूमि जल संसाधन विभाग को उपयोग पर देने बाबत।

संदर्भ:-भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली का पत्र क्रमांक 8-20/2022-FC दिनांक 21.08.2023

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उपरोक्त संदर्भित पत्र का अवलोकन करें, त्वरित संदर्भ हेतु छायाप्रति संलग्न है। जिसके द्वारा भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, कार्यालय नई दिल्ली ने विषयांकित प्रकरण की प्रथम चरण सैद्धांतिक स्वीकृति जारी की गई है। स्वीकृति पत्र में उल्लेखित शर्तों के अनुसार निम्नानुसार कार्यवाही की जावे :-

शर्त क्रमांक- A(iii) के पालन में प्रकरण में आपके द्वारा तैयार की गई निम्नानुसार वैकल्पिक वृक्षारोपण योजना की राशि आवेदक संस्थान से एड-हॉक कैम्पा मद में आनलाईन पोर्टल के माध्यम से जमा कराई जावें :-

क्र	स्थल का नाम / वनपरिक्षेत्र	कक्ष क्रमांक/ खसरा क्रमांक	रोपण योग्य रकबा (हे0 में)	योजना की राशि (रूपये में)
1	ग्राम गुरैया	593, 594	54.586	3,04,23,848
2	वनपरिक्षेत्र ढाना	पी. एफ. 812	25.00	1,76,16,500
3	वनपरिक्षेत्र ढाना	आर. एफ. 798	40.00	2,31,97,900
4	वनपरिक्षेत्र केसली	पी. एफ. 1064	35.00	2,66,00,000
5	वनपरिक्षेत्र ढाना	पी. एफ. 909	30.00	2,04,90,847
कुल योग (रूपये) :-				11,83,29,095

शर्त क्रमांक- A(iv) के पालन में प्रस्तावित 181.39 हेक्टेयर वनभूमि की नेट प्रजेण्ट वैल्यू की राशि रु. 17,37,31,714/- आवेदक संस्थान से कैम्पा मद में आनलाईन जमा कराई जावें।

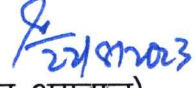
शर्त क्रमांक- A(v) के पालन में आवेदक विभाग द्वारा परियोजना अंतर्गत प्रस्तुत किए गए केचमेन्ट एरिया ट्रीटमेन्ट प्लान के प्राक्कलन अनुसार राशि रूपये 142.27 लाख कैम्पा मद में आनलाईन जमा कराई जावें।

शर्त क्रमांक- A(vii) के पालन में प्रकरण में क्षतिपूर्ति वनीकरण हेतु प्राप्त गैर वनभूमि को वन विभाग के नाम हस्तांतरण/नामान्तरण कराकर फार्म पी-2 एवं कब्जा रसीद आदि की प्रति इस कार्यालय को भिजवायें। साथ ही आवेदक संस्थान द्वारा उपलब्ध कराई गयी गैर वनभूमि को वनभूमि घोषित करने संबंधी अधिसूचना का प्रारूप वन भू-अभिलेख शाखा को भेजते हुए की गई कार्यवाही से इस कार्यालय को आवश्यक रूप से अवगत करावें।

शर्त क्रमांक- B(iii) के पालन में अतिरिक्त एन.पी.व्ही. की राशि देय संबंधी वचन पत्र आवेदक संस्थान से प्राप्त कर प्रेषित किया जावे।

अतः भारत सरकार द्वारा जारी शेष समस्त शर्तों का शर्तवार पालन प्रतिवेदन आवेदक संस्थान से प्राप्त किया जाकर इस कार्यालय को 02 प्रति में प्रेषित किया जावे।

संलग्न:-उपरोक्तानुसार।



(सुनील अग्रवाल)

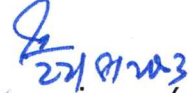
प्रधान मुख्य वन संरक्षक (भू-प्रबंध)

मध्यप्रदेश, भोपाल

भोपाल, दिनांक 22-8-23

पृ. क्रमांक/एफ-3/101/2021/10-11/12/3783
प्रतिलिपि:-

1. मुख्य वन संरक्षक, (क्षेत्रीय) सागर वृत्त सागर, मध्यप्रदेश।
 2. वनमंडलाधिकारी, सा0 वन मण्डल, दक्षिण सागर, मध्यप्रदेश।
 3. कार्यपालन यंत्री, जल संसाधन संभाग क्र.-1, जिला सागर, मध्यप्रदेश।
- की ओर सूचनार्थ एवं आवश्यक कार्य हेतु अग्रेषित।



प्रधान मुख्य वन संरक्षक (भू-प्रबंध)

मध्यप्रदेश, भोपाल

8-20/2022-FC

1/51301/2023

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003
Dated: 21st August, 2023

To,

The Principal Secretary (Forests),
Government of Madhya Pradesh,
Bhopal.

Subject: Diversion of 181.39 ha (182.16 ha as per online proposal) forest land for the construction of Apchand Medium Irrigation Project in favour of Water Resource Division under Sagar District of Madhya Pradesh State (Online No. FP/MP/IRRIG/43200/2019) - regarding.

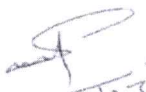
Madam/Sir,

I am directed to refer to the Principal Chief conservator of Forests (Land Management) and Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh's letter No. F3/101/2021/10-11/12/2938 dated 23.08.2022 on the above mentioned subject, seeking prior approval of Central Government under Section-2(ii) of the Forest (Conservation) Act, 1980, and to say that the said proposal has been examined by the Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

2. After careful consideration of the proposal of the State Government of Madhya Pradesh and on the basis of the recommendations of the Advisory Committee, the Central Government hereby accords "**In-principle/Stage-I**" approval under the Forest (Conservation) Act, 1980 for diversion of 181.39 ha forest land for the construction of Apchand Medium Irrigation Project in favour of Water Resource Division under Sagar District of Madhya Pradesh State, subject to the following conditions: -

A: Conditions required to be complied prior to handing over of forest land by the State Forest Department and compliance to be submitted prior to Stage-II approval:-

- i. The user agency has submitted the proposal for diversion of 182.16 ha, however the State Government has recommended only 181.39 ha for diversion. The revised component wise breakup and layout of the 181.39 ha forest land shall be submitted prior to Stage-II approval.
- ii. The plantations affected by the project shall be carried out by the State Government at other suitable locations at the cost of the user agency. A detailed scheme in this regard shall be submitted by the State Government, with the money deposited, KML files and site suitability certificate given by the Nodal officer along with the compliance report of Stage-1.
- iii. The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of


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permanent pillars if required on the CA land shall be deposited in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. 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. The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02. 2009. The requisite funds shall be transferred through online portal into CAMPA account of the State Concerned;
- v. The Copy of approved Catchment Area Treatment (CAT) Plan shall be submitted and the commensurate cost of CAT plan shall be deposited in the CAMPA account through online portal;
- vi. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- vii. The identified non-forest land for raising compensatory afforestation shall be transferred and mutated in the name of forest department and notified as Reserved Forest /Protected Forest prior to Stage-II approval. 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, will be submitted by the State Government prior to State-II approval;
- viii. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- ix. The State Government shall upload the KML files of the area under diversion and the accepted area for raising compensatory afforestation in the *E-green watch* portal of FSI, before handing over forest land to the user agency;
- x. All the funds received from the user agency under the project shall be transferred/ deposited in CAMPA account only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;
- xi. 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 but the compliance in form of undertaking is to be submitted prior to Stage-II approval:-

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. Forest land will be handed over only after required non-forest land in the project is obtained by the user agency;
- iii. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- iv. The felling of trees shall be restricted to FRL-4 meter only. Number of trees to be removed shall be kept at barest minimum during the execution of the project;
- v. The R&R Plan shall be implemented 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 and implementation. 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;
- vi. The User Agency shall obtain the Environment Clearance as per the provisions of

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- the Environmental (Protection) Act, 1986, if required;
- vii. The User Agency shall undertake afforestation along the periphery of the reservoir;
 - 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 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, distance from pillar to pillar and GPS coordinates;
 - x. 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;
 - xi. No damage to the flora and fauna of the adjoining area shall be caused;
 - xii. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
 - xiii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
 - xiv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
 - xv. 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;
 - xvi. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
 - xvii. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
 - xviii. The User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under strict supervision of the State Forest Department;
 - xix. 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 strict supervision of the State Forest Department;
 - xx. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Integrated Regional Office and to this Ministry by the end of March every year regularly;
 - xxi. 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;
 - xxii. 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 dated 29/01/2018;
 - xxiii. 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.

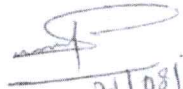

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After receipt of compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours sincerely,


(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Madhya Pradesh, Bhopal;
2. The Dy. DGF (Central), Regional Office, MoEF&CC, Bhopal;
3. The Nodal Officer (FCA), Department of Forest Government of Madhya Pradesh, Bhopal;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading on PARIVESH portal.