



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST &
CLIMATE CHANGE

क्षेत्रीय कार्यालय, पश्चिम क्षेत्र
Regional Office, Western Region
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No: 6-MPC 014/2017-BHO/ 897

Dt. - 28/11/2017

To,

The Addl. Chief Secretary (Forest)
Govt. of Madhya Pradesh
Vallabh Bhavan, Bhopal
Madhya Pradesh.

Sub: Diversion of 9.7975 ha Reserved & Protected forest land for widening and strengthening of National Highway-86 Km 88 to 130 Km road in favour of Executive Engineer, Public Works Department in Chhatarpur District of Madhya Pradesh.

- Ref: 1) This office in-principle approval letter No. 6-MPC 014/2017-BHO/425 dated 10/07/2017.
2) APCCF (LM) & Nodal Officer, MP letter No. F-5/808/2017/10-11/2867 dated 03/10/17.
3) Receipt of online payment transaction dated 22/09/2017.

Sir,

I am directed to invite a reference to APCCF (LM) and Nodal Officer, MP letter No. F-5/808/2017/10-11/1207 dated 04/05/2017 and letter of even no. 1481 dated 31/05/2017 on the above mentioned subject seeking prior approval of the Central Government under Section 2 of the Forest (Conservation) Act, 1980.

The Central Government vide letter (1) referred above had agreed in principle for diversion of 9.7975 ha of above forest land for the purpose mentioned above subject to the fulfilment of condition No. 3(b), 4, 5 & 6 stipulated therein.

The State Government vide letter (2) referred above have reported compliance on the fulfillment of the said conditions 3(b), 4, 5 & 6 of the in-principle approval letter.

Therefore, the undersigned is hereby directed to convey formal approval of the Government of India under Section -2 of the Forest (Conservation) Act, 1980 for diversion of 9.7975 ha Reserved & Protected forest land for widening and strengthening of National Highway-86 Km 88 to 130 Km road in favour of Executive Engineer, Public Works Department in Chhatarpur subject to the following terms and conditions:-

1. Legal status of the forest land shall remain unchanged.

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2. Forest land will be handed over only after required non-forest land for the project is handed over to the user agency.
3. **Compensatory afforestation**
 - a) Compensatory afforestation shall be taken up by the Forest Department over 9.824 ha (out of 12.249 ha) non-forest land (Khasra No. 391/1, 409/4, 409/5, 409/6, 416/1, 416/2, 417, 418/1, 418/2, 429/1 Village-Berkheri, Tehsil-Baxwaha, District- Chhatarpur) at the cost of the user agency. As far as practicable, a mixture of local indigenous species shall be planted and monoculture of any species has to be avoided.
 - b) The land identified for CA shall be clearly depicted on a Survey of India Toposheet of 1:50, 000. The bearing of each corner point and distances between successive points will be recorded alongwith GPS reading of Geo-Coordinates (Latitudes & Longitudes).
 - c) The non forest land which is transferred and mutated in favour of State Forest Department for the purpose of CA, 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 local Forest Act. The Nodal Officer must report compliance within a period of six month of from the date of stage-II approval under the Forest (Conservation) Act, 1980 for diversion of the said forest land and send a copy of a 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 local Forest Act, local forest as the case may be to this Ministry for information and record.
4. User agency shall restrict the felling of trees upto 583 numbers in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department. The number of trees to be removed shall be kept at barest minimum during the execution of the project.
5. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
6. No labour camp shall be established on the forest land.
7. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
8. User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
9. The boundary of the diverted forest land shall be demarcated on ground at the project cost.
10. 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.

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11. Relevant directions contained in various notifications issued by Govt. of India under the provisions of the Environment (Protection) Act, 1986 and Environment (Protection) Rules, 1986 made thereunder and amended from time to time regarding use of fly ash shall be fully complied with.
12. Speed regulating sinages will be erected along the road at regular intervals.
13. The layout plan of the proposal shall not be changed without prior approval of the Central Government.
14. The forest land shall not be used for any purpose other than that specified in the project proposal.
15. The user agency shall construct, if required, under passes and over passes for movement of wild animals etc in consultation with State Forest Department.
16. Muck disposal, if required, shall be taken up as per the scheme approved by the Forest Department.
17. Soil conservation measures, if required, shall be taken up by the user agency.
18. It will be the responsibility of the User Agency to ensure that the labourers and staff engaged in construction activity do not damage forest flora and fauna.
19. Proposed labour camps outside the forest area, are to be dismantled and removed and the labourers shall be sent back immediately after the completion of the work.
20. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
21. 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.
22. The State Govt will make effective efforts to prevent illegal construction (shop etc) along the widened road which will bring in congestion and defeat the purpose of widening and also the Govt land whether forest or otherwise will be clearly demarcated/ protected to prevent encroachment.
23. No damage shall be caused to the flora and fauna of the area.
24. The user agency shall ensure that because of the project, no damage is caused to the Wildlife.
25. Relevant conditions of the "In-principle approval" order shall also be complied with.
26. The User Agency shall submit compliance report as on 1st January of every year to the Nodal Officer of the State.
27. The State Government shall monitor compliance of the conditions of Forest Clearance and shall submit in this regard yearly report as on 1st July of every year.

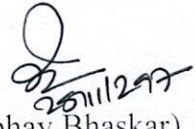
9.7975 ha
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28. Any other condition that the Ministry of Environment, Forests & CC may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
29. The User Agency and the State Government shall ensure compliance of provisions of all Acts, Rules, Regulations and Guidelines for the time being in force as applicable to the project.
30. In case of non-compliance of any of the above conditions, the concerned Divisional Forest officer shall report through the State Govt. to this office as per procedure laid down in the clause 1.9 of guidelines issued under Forest (Conservation) Act, 1980 on 25.10.1992.
31. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken accordingly.

Yours faithfully,

OK



20/11/2017

(B. Abhay Bhaskar)
Dy. Conservator of Forests(C)

Copy to :-

1. The Director, (ROHQ), Govt. of India, Ministry of Environment and Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi - 110003.
2. The Addl. Principal Chief Conservator of Forests and Nodal Officer Govt. of M.P., Satpura Bhawan, Bhopal.
3. The Divisional Forest Officer, Forest Division Chhatarpur, District-Chhatarpur, MP.
4. The Executive Engineer, Public Works Department, National Highway Division Sagar, District-Sagar, MP.
5. Order file

OK


20/11/2017
(B. Abhay Bhaskar)
Dy Conservator of Forests(C)

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