



# भारतीय राष्ट्रीय राजमार्ग प्राधिकरण

(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)

परियोजना कार्यान्वयन ईकाई : डी-81, गोविन्दपुरी, सचिन तेन्दुलकर मार्ग, ग्वालियर (म. प्र.)-474011

## National Highways Authority of India

(Ministry of Road Transport & Highways, Govt. of India)

Project Implementation Unit : D-81, Govindpuri, Sachin Tendulkar Marg, Gwalior (M.P.)-474011

फोन/Phone : 0751-2231485, ई-मेल/E-mail : gwalior@nhai.org; nhaigwalior@gmail.com



BHARATMALA  
ROAD TO PROSPERITY

NHAI/PIU/Gwl/Western Bypass/2024-25/ 15099

Date: 12.02.2025

To,

Shri H. S. Mohanta  
The APCCF (LM) & Nodal Officer (FCA)  
Van Bhivag (Govt. of MP)  
Van Bhavan, Bhopal(MP)

Sub: Preparation of Detailed Project Report for Construction of Bypass on Western Side of Gwalior city in the State of MP:- **Request for consideration of CA scheme on DFL land in lieu of NFL land as per clarification issued by MoEF&CC letter dated 17.12.2024.**

Ref : i) APCCF, Bhopal letter no. F-5/1121/2022/10-11/4672 Dated 02.09.2024.  
ii) 8th REC MoM Dated 30.07.2024.  
iii) MoEF&CC letter dated 17.12.2024.

Sir,

Please refer to your letter cited under reference-(i) vide which the discussions held during the 8th REC meeting on 30.07.2024 was conveyed to this office with the direction to submit the compliance thereof through DFO Gwalior for necessary action regarding issuance of Stage-I Forest clearance for the captioned project.

2. It is to mention that the forest proposal of western bypass of Gwalior city bearing proposal no. FP/MP/Road/149532/2021 was discussed in the 8th REC Meeting held on 30.07.2024 and after detailed deliberation the committee accorded in-principal approval to the proposal for diversion of 42.83 ha reserved forest land for construction of bypass on western side of Gwalior City in favor of Project Director NHAI, PIU-Gwalior with standard terms and conditions along with specific conditions mentioned in the MoM of the REC Meeting dated 30.07.2024.

3. The aforesaid specific conditions inter-alia includes for providing NFL land for CA Scheme in view of Guideline dated 27.12.2023. In this regard, your kind attention is drawn upon para-iv & v (a) of the clarification issued by MoEF&CC vide letter cited under reference (iii), regarding the raising of CA over degraded forest land (DFL) for the projects of Central Government entities/CPSU and Captive coal blocks of the state PSUs are reiterated as under:

Para iv:

*"As per the provisions of the Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024, projects of Central Government entities/CPSU and captive coal blocks of the State PSUs are eligible for raising CA over degraded forest land which will be double in extent of the forest land being diverted. Accordingly, the State Government/UT shall not insist for providing non-forest land as CA unless in cases wherein the Central Government FC-11/158/2024-FC I/90686/2024 Agencies/CPSUs or State Government PSUs with captive coal blocks are forthcoming to provide non-forest land available with them as CA or the State Government/UT Administration is willing to provides non-forest land on such terms and condition which is agreed by the Central Government Agencies/CPSUs or State Government PSUs in case of captive coal blocks."*


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**Para-v(a):**

*"Proposals, which were submitted by the States/UTs before notification of Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024, along with the proposal of raising CA over degraded forest land (DFL) and were granted 'in-principle' approval stipulating CA over non-forest land (NFL), shall be allowed to submit compliance of 'in-principle' approval along with CA proposal over DFL in lieu of NFL. The Central Government will consider and grant final approval in such cases stipulating CA over DFL."*

4. Since, the project proposal has been in-principally agreed during the discussion held on 8<sup>th</sup> REC meeting on 30.07.2024 and CA scheme has already been finalized and approved by CCF on DFL land, hence it is requested to consider the proposal for diversion of 42.83 ha reserved forest land for construction of bypass on western side of Gwalior City in favor of Project Director NHAI, PIU-Gwalior and issue Stage-I clearance for the captioned project considering of CA scheme on already DFL land in lieu of NFL land as per clarification issued by MoEF&CC letter dated 17.12.2024.

  
12/02/25  
Project Director  
NHAI-PIU, Gwalior (M.P)

**Copy to:**

- i) Divisional Forest Officer, Gwalior for kind formation and necessary action in the matter please. Email: [dfotgwa@mp.gov.in](mailto:dfotgwa@mp.gov.in).
- ii) Regional Officer, Bhopal for kind information please.
- ii) Authorized Signatory, M/s Lion Engineering Consultant Bhopal for information please.

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**AGENDA-8**  
**Online Proposal No. FP/MP/ROAD/149532/2021**

**Diversion of 42.83 ha Reserved Forest land for construction of Bypass on Western Side of Gwalior City in favour of Project Director, National Highway Authority of India Limited in Gwalior District of Madhya Pradesh. (6-MPR 015/2022-BHO).**

**The proposal was discussed in 4<sup>th</sup> REC meeting of 2024 dated 12.03.2024 at Agenda no. 07. The REC examined and deferred the proposal for want of following information:**

- 1. It is reported that the SADA (Special Area Development Authority) has constructed a part of the road involving area of about 0.6 ha after 1980. Documentary evidence of construction of the road shall be submitted.*
- 2. The concerned DFO shall submit Action Taken Report for violation of FCA, 1980 against the responsible persons after determining the type of violation as per guideline Para 1.16 of the Handbook.*

**The same was communicated to the State Govt. vide letter dated 02.04.2024. The State Govt. has submitted the reply vide letter dated 28.06.2024.**

**After examining the same, it has been observed that the road constructed by the SADA in violation in an area of 0.6 ha in the period of 2002-2005, while the demarcation of the concerned area as forest was carried out in the year 2011 by the then patwari and forest department. Earlier the land was marked as private and govt land in the "Missil Bandobast" of 1939-40. So the action at the time of construction of road could not be taken by the Forest Department.**

**Recommendation of REC:**

The REC examined the proposal for diversion of forest land under the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. The facts related to the area proposed for diversion as well as area for Compensatory Afforestation (CA) were analysed through Decision Support System (DSS) of FSI by the REC members.

After detailed discussion in the proposal, the committee ***accorded in principle approval*** to the proposal for diversion of 42.83 ha Reserved Forest land for construction of Bypass on Western Side of Gwalior City in favour of Project Director, National Highway Authority of India Limited in Gwalior District of Madhya Pradesh with standard terms & conditions and following specific conditions:

**The Stage-I approval shall be issued only after receipt of following information/documents:**



1. The DFOs shall provide a certificate to the effect that the KML of proposed diversion area is prepared and demarcation has been done on the basis of actual forest boundaries established in the prevailing approved working plan.
2. In view of the guideline dated 27.12.2023, compensatory afforestation shall be carried out on equivalent non forest land. Thus, kml file of NFL for CA along with the CA scheme, suitability certificate, certificate of non encumbrances, digital map shall be submitted.
3. The working permission shall not be issued by the State Govt in this project and suitability of the area proposed for CA will be reviewed by the REC prior to submission of compliance of AIP.
4. The User Agency shall submit a site improvement plan for isolated patches affected by the construction of proposed road at coordinate (26°14'55.82"N, 78° 4'6.54"E). The site improvement plan must include all necessary components like fencing, watering facility, soil work etc.
5. The User Agency shall submit an undertaking to the effect that all the conditions of Wildlife clearance shall be strictly complied.

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#### **AGENDA-9**

#### **Online Proposal No. FP/MP/ROAD/409048/2022**

**Diversion of 7.32 ha (Earlier 7.93 ha) Reserved, Protected and Revenue Forest land for 4-Laning of Balaghat Gondia Section of NH 543 from km 0+000 to km 32+325 in the State of Madhya Pradesh (Package 1A) in favour of Project Director, National Highway Authority of India Limited in Balaghat District of Madhya Pradesh.**

**The proposal was discussed in 6<sup>th</sup> REC meeting of 2024 dated 21.05.2024 at Agenda no.**

**06. The REC examined and deferred the proposal for want of following information:**

1. *The User Agency shall submit revised KML for diversion area in which area of existing carriage way shall be calculated correctly and accordingly revised KML shall be uploaded in online portal.*
2. *The User Agency shall submit the revised land schedule duly authenticated by the concerned DFO.*
3. *The DFO shall provide a certificate to the effect that the submitted KML of proposed diversion area is prepared and demarcation has been done on the basis of forest boundaries provided in the prevailing approved working plan.*
4. *The user Agency shall submit a road side plantation scheme in consultation with the DFO..*



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

Indira Paryavaran Bhawan,  
Aliganj, Jor Bagh Road,  
New Delhi: 110003

Dated: December, 2024

To

The Addl. Chief Secretaries of Forests/Principal Secretary (Forests),  
All States Governments and Union territory Administrations

**Sub: Streamlining of the approval process with regards to compensatory afforestation as envisaged in the Van (Sanrakshan Evam Samvardhan) Rules, 2023 as amended on 20.09.2024 – reg.**

**Madam/Sir,**

I am directed to refer to the above subject and to inform that based on the references received from the Ministry of Mines, and Ministry of Coal, the provisions related to raising of compensatory afforestation, as envisaged in the Van (Sanrakshan Evam Samvardhan) Rules, 2023 as amended on 20.09.2024, have been reviewed by the Ministry and after due deliberations, the Central Government, in accordance with the provisions of section 3C of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 hereby issues the following clarifications:

- i. Provisions of Rule 14(1) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, provides that the non-forest land identified for raising Compensatory Afforestation (CA) is to be notified as Protected Forests before final approval (Stage-II) approval is granted by the Central Government. However, in cases where non-forest land identified for CA has been transferred and mutated in favour of the State Forest Department (SFD), the Central Government may accord final approval keeping in view the fact that provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 become applicable on such lands being entered as forest in government record/record of rights.
- ii. In such cases, referred in para (i) above, the non-forest land forest land proposed for CA, shall be notified as Protected Forest under section 29 of the Indian Forest Act, 1927 of local forest Act before handing over of forest land to the User Agency by the State Government. The Nodal Officer, after notification of such non-forest lands, shall upload a copy of said notification on the PARIVESH portal.
- iii. For the purpose of rule 13(4)(a) of the States or Union territory Administrations, having forest area more than 33% of their total geographical area, concerned State Government/UT Administration may authorise a suitable officer to issue certificate of non-availability of the suitable non-forest land for raising CA.
- iv. As per the provisions of the Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024, projects of Central Government entities/CPSU and captive coal blocks of the State PSUs are eligible for raising CA over degraded forest land which will be double in extent of the forest land being diverted. Accordingly, the State Government/UT shall not insist for providing non-forest land as CA unless in cases wherein the Central Government



Agencies/CPSUs or State Government PSUs with captive coal blocks are forthcoming to provide non-forest land available with them as CA or the State Government/UT Administration is willing to provide non-forest land on such terms and condition which is agreed by the Central Government Agencies/CPSUs or State Government PSUs in case of captive coal blocks.

- v. With regards to the applicability of the provisions of the Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024 in respect of proposals of the Central Agencies/PSUs and captive coal blocks of the State PSUs which were granted 'in-principle' approval stipulating CA over non-forest land, the following clarification is given in this regard:
- Proposals, which were submitted by the States/UTs before notification of Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024, along with the proposal of raising CA over degraded forest land (DFL) and were granted 'in-principle' approval stipulating CA over non-forest land (NFL), shall be allowed to submit compliance of 'in-principle' approval along with CA proposal over DFL in lieu of NFL. The Central Government will consider and grant final approval in such cases stipulating CA over DFL.
  - Proposals, which were submitted by the States/UTs along with CA proposal over non-forest land and were granted 'in-principle' approval stipulating CA over non-forest land (NFL), can also be allowed to submit compliance of 'in-principle' approval along with CA proposal over DFL provided the non-forest land proposed for CA is not transferred and mutated in favour of the State Forest Department. In such cases, the Central Government or its Regional Office, based on the request of the State/UT Government or user agency, shall amend the condition of in-principle approval to raise CA over DFL on a case to case basis and subsequently the User Agency shall submit the compliance of in-principle for the obtaining the 'final' approval.

In view of the above, the State Government and Union territory Administrations are requested to take into consideration the guidelines mentioned hereinabove while considering the proposals submitted under section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

This issues with the approval of the competent authority.

Yours faithfully,

Signed by

Charan Jeet Singh

Date: 17-12-2024 13:56:41

(Charan Jeet Singh)  
Scientist 'E'

Copy to:

1. Director, PMO, South Block, New Delhi
2. Secretary, Ministry of Mines /Coal /Steel/ Power/ Railways/ MoRT&H/ Defence/MHA
3. Secretary, Ministry of Defence, Government of India
4. Principal Chief Conservator of Forests & HoFF, All States Governments and Union territory Administrations
5. Dy Director General of Forests (Central) All Regional Offices of the MoEF&CC