

File No. 8-16/2019-FC  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Forest Conservation Division)  
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Indira Paryavaran Bhawan,  
Jorbagh Road, Aliganj,  
New Delhi - 110 003  
Dated: 11<sup>th</sup> February, 2020

To,

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

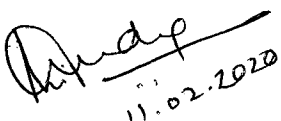
**Sub: Diversion of 80.737 ha of forest land (8.33 ha. Forest land & 72.407 Revenue Forest land) for establishment of Special Economic Zone (SEZ) in Chhindwara Dist. of MP State in favour of M/s Chhindwara Plus Developers Ltd.-regarding.**

Sir,

I am directed to refer to the letter No.F-5/867/2019/10-11/1109 Bhopal dated 22.04.2019 as received from Addl. Pr. Chief Conservator of Forests (LM) and Nodal Officer, FC Act, 1980 Govt. of Madhya Pradesh, on the above mentioned subject, seeking prior approval of Central Government under Section-2 of the Forest (Conservation) Act, 1980, and to say that the said proposal has been examined by the Forest Advisory Committee (FAC) 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 Forest Advisory Committee, the Central Government hereby agrees *to accord stage-I/In-principle* approval under the Forest (Conservation) Act, 1980 for the diversion of 80.737 ha of forest land (8.33 ha. Forest land & 72.407 Revenue Forest land) for establishment of Special Economic Zone (SEZ) in Chhindwara Dist. of MP State in favour of M/s Chhindwara Plus Developers Ltd, subject to the fulfillment of following conditions:-

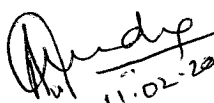
- (i) Legal status of the forest land shall remain unchanged;
- (ii) *Norms and guidelines followed in similar proposals shall be applicable in the instant case;*
- (iii) **Compensatory afforestation:-**
  - a) The Compensatory Afforestation shall be taken up by the Forest Department over 80.737 ha. (Subject to condition no. (ii) Above) non-forest land at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided;
  - b) The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF 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 Stage-II approval;
- (iv) The cost of 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 advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years. In such case CA cost will be revised and duly approved by competent authority and deposited through online in the CAF managed by CAMPA;

(v) **NPV: -**

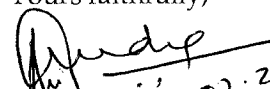
- a) The State Government shall charge the Net Present Value (NPV) for the 80.737 ha. forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006- FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard;
  - b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect;
- (vi) The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- (vii) The State Government shall submit a certificate, that site for CA is suitable and free from all encroachments and other encumbrances, under the signature not below the rank of Nodal Officer (FCA) in the State Government;
- (viii) The Complete Compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- (ix) All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>);
- (x) The layout plan of the proposal shall not be changed without prior approval of Central Government;
- (xi) No labour camp shall be established on the forest land;
- (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 boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;
- (xiv) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;

  
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- (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 forest land shall not be used for any purpose other than that specified in the project proposal;
- (xvii) 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;
- (xviii) User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- (xix) The Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the para 1.21 of comprehensive guidelines issued vide this Ministry F. No.5-2/2017-FC dated 28<sup>th</sup> March, 2019;
- (xx) The State Government of Madhya Pradesh and the user agency shall comply with any other condition that the Regional Office (Western Zone), Bhopal of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife, subject to approval of competent authority;
- (xxi) The State Government and user agency shall comply the provisions of all the Acts, Rules, Regulations, guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project; and
- (xxii) The complete compliance report with undertakings and plans/schemes will be uploaded on the web-portal (<https://parivesh.nic.in/>);

3. After receipt of the report on compliance to the conditions stipulated in the paragraph-2 above, from the State Government of Madhya Pradesh, final / stage-II approval for diversion of the said forest under Section-2 of the Forest (Conservation) Act, 1980 will be issued by this Ministry. Transfer of the said forest land to the user agency shall not be effected by the State Government of Madhya Pradesh till final/stage-II approval for its diversion is issued by this Ministry.

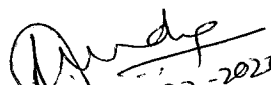
Yours faithfully,

  
(Brijendra Swaroop)

Dy. Inspector General of Forest

**Copy to:-**

1. The Principal Chief Conservator of Forests & (HoFF), Government of Madhya Pradesh, Bhopal.
2. The Dy. Director General of Forests (Central), Regional Office (Western Zone), Bhopal.
3. The Nodal Officer (FCA) Forest Department, Government of Madhya Pradesh, Bhopal.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading.
6. Guard File.

  
11.02.2020

(Brijendra Swaroop)

Dy. Inspector General of Forest

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