

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

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110003

Dated: 15th December, 2022

To

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

Subject: Diversion of 7.448 ha reserved forest land for construction of new coal transportation road from Jayant to Morwa railway sliding in favour of General Manager, Jayant project NCL in Singrauli District, Madhya Pradesh (Online No. FP/MP/ROAD/30989/2017) - reg.- regarding.


Madam/Sir,

I am directed to refer to the Government of Madhya Pradesh's letter No. F5/859/2019/10-11/1378 dated 14.05.2020 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 proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid act. After careful consideration of the proposal by the Forest Advisory Committee (FAC) and with due approval of the Hon'ble Minister, Environment, Forest and Climate Change *Stage-I/ In-principle* approval for the above mentioned proposal was granted vide this Ministry's letter of even no. dated 06.09.2021, subject to fulfillment of certain conditions.

In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Madhya Pradesh's vide letter No. F-5/859/2019/10-11/3620 dated 02.11.2021, F-5/859/2019/10-11/4354 dated 27.12.2021, F-5/859/2019/10-11/275 dated 21.01.2022, F-5/859/2019/10-11/3179 dated 16.09.2022, F-5/859/2019/10-11/3582 dated 19.10.2022, F-5/859/2019/10-11/4120 dated 05.12.2022 and क्रमांक/विविध/4155 dated 07.12.2022 '**Final/Stage-II approval**' of the Central Government is hereby accorded under Section -2 (ii) of the Forest (Conservation) Act, 1980 for diversion of 7.448 ha reserved forest land for construction of new coal transportation road from Jayant to Morwa railway sliding in favour of General Manager, Jayant project 'NCL in Singrauli District, Madhya Pradesh, subject to the fulfillment of following conditions:

A: Conditions which need to be complied prior to handing over of forest land to user agency by the State Govt.:

- i. The State Government shall ensure that the user agency implements 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 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;


15/12/2022

- ii. The State Government shall ensure that compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the relevant Rules and Guidelines issued by the MoEF&CC in this regard, before handing over of forest land to the user agency;
- iii. The State Govt. shall ensure that 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 co-ordinates;
- iv. The State Government shall ensure that proposed forest land i.e. 7.448 ha shall be handed over to the user agency only when the user agency has acquired the required non-forest land, if any, for the project.

B: Conditions which need to be complied after handing over of forest land to the user agency by the State Govt.:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. A comprehensive study will be undertaken regarding the impact of change in both composition of the forest flora & fauna, area impacted, and the health and well-being, including mental health, of the forest-fringe communities. This study should especially assess the impact due to resultant changes in forest-based food, nutrition and drinking water availability/consumption patterns and the institutions of local governance that ensure conservation of forest resources on the overall human health and well-being including mental health needs of the forest-fringe communities of the area. A multidisciplinary study shall be commissioned by the User Agency by reputed institutes like AIIMS, New Delhi and ICFRE, Dehradun in a collaborative mode within three months of Final (Stage-II) Approval and shall be completed within maximum 3 years. The outcomes of this study would guide overall planning and management of forests and coal mining in the area respectively by State Forest Department and the User Agency;
- iii. Compensatory afforestation shall be taken up by the Forest Department over 20.00 ha. degraded forest land (Compartment no. PF – 672, Range - West Sarai, Division - Singrauli) 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;
- iv. The State Govt. shall ensure that the user agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms;
- v. The State Govt. shall ensure that the Speed regulating signage will be erected along the road at regular intervals in the Protected Areas/ Forest Areas;
- vi. The State Govt. shall ensure that the user agency shall provide suitable under/over pass in Protected Area/ Forest Area as per recommendations of CWLW /NBWL /FAC if required;
- vii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- viii. The User Agency shall ensure that forest area nearby shall not be encroached upon due to implementation of the project;
- ix. 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;
- x. The forest land shall not be used for any purpose other than that specified in the project proposal and under no circumstances be transferred to any other agency, department or person;


15/12/2022

- xi. Boundary of the forest land proposed to be diverted shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing, distance from pillar to pillar and GPS co-ordinates;
- xii. Felling of trees, if unavoidable on the forest land being diverted shall be reduced to the barest minimum and trees should be felled under strict supervision of the State Forest Department. Moreover, it shall be ensured that wherever possible maximum marked trees for felling should be translocated in consultation with the State Forest Department;
- xiii. 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;
- xiv. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xv. No damage to the flora and fauna of the area shall be caused;
- xvi. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xvii. 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;
- xviii. 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 28th March, 2019;
- xix. 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;
- xx. 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;
- xxi. The State Government and User Agency shall ensure compliance of all conditions stipulated in the Stage-I approval letter of even number dated 06.09.2021 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, pertaining to this project for the time being in force, as applicable to the project.

Yours sincerely

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

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