

F. No. 8-22/2018-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110 003
Dated: 20th July, 2018

To,

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

Sub: Diversion of 150.00 ha of Forest Land in favour of Madhya Pradesh Tourist Development Board, Bhopal for establishment of Chidiyatol Zoo and Rescue Centre in Raisen District Madhya Pradesh State.

Sir,

I am directed to refer to the Addl. Principal Chief conservator of Forests (Land Management) and Nodal Officer, Forest (Conservation) Act, 1980, State Government of Madhya Pradesh's letter No. F-5/820/2018/10-11/1027 dated 07th April, 2018 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 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 (FAC), the Central Government hereby agrees *to accord stage-I / In-principle* approval under the Forest (Conservation) Act, 1980 for diversion of 150.00 ha of Forest Land in favour of Madhya Pradesh Tourist Development Board, Bhopal for establishment of Chidiyatol Zoo and Rescue Centre in Raisen District Madhya Pradesh State, subject to the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) *The detailed land use plan has to be prepared and approved by the Central Zoo Authority (CZA). The proposal is general in nature and lists various possible land use for developing zoo and rescue centre. Construction of building for animal houses / enclosures, roads etc. referred in proposal are non-forestry activities because the same is being developed for the purposes of rescue and display of animals. The construction activities should be restricted to minimum. At least 50% of the project area should be maintained as green area. State Government shall take massive plantation work inside the area proposed to be kept as forest;*
- (iii) *The 15% of the project area may be permitted for construction activities for development of zoo and rescue centre. However, the exact area required for construction activities need to be calculated based on the land-use plan as approved by CZA and submitted;*



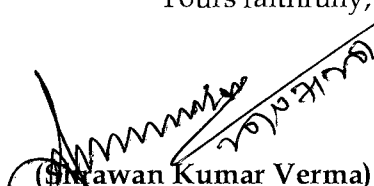
- (iv) *The user agency shall pay the 15% Net Present Value (NPV) of the entire proposed area;*
- (v) *The Compensatory Afforestation (CA) shall be raised over double the degraded forest land preferably around the proposed zoo and rescue centre at the project cost;*
- (vi) *The basic facilities for regulation of tourists such as ticketing facility, parking, washrooms, etc. may be developed at the entry gate of the forest provide the forest land does not exceed 2.55 hectare;*
- (vii) *As the project is located along with the highway and nearby to an alcohol / liquor facility, it is recommended to have a tree barrier of at least 5 to 7 rows of tall trees along with entire boundary of the zoo & rescue centre at project cost, which will act as aesthetically appropriate Green barrier;*
- (viii) *The tree enumeration list as per project lay out be submitted to arrive at minimum tree felling figure;*
- (ix) *The Cost-benefit analysis shall be done in accordance with the MOEF & CC guidelines dated 01.08.2017;*
- (x) The User Agency shall transfer the funds at the rate of 15% of total Net Present Value (NPV) of the entire proposed area as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2005 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 through online portal of Ad-hoc CAMPA account of the State Concerned;
- (xi) Before establishing the Chidiyatol Zoo and Rescue Centre, the necessary clearance from Central Zoo Authority shall be obtained before seeking Stage-II/final approval;
- (xii) The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale;
- (xiii) The User Agency shall transfer the cost of raising and maintaining the admissible compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of Ad-hoc CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
- (xiv) **The user agency should ensure that the compensatory levies (CA cost, NPV etc.) are deposited through challan generated online on web portal and deposited in appropriate bank online only. Amount deposited through other mode will not be accepted as compliance of the Stage -I clearance;**
- (xv) At the time of payment on 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;
- (xvi) 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;
- (xvii) The User agency shall obtain the Environment Clearance as per the provisions of the Environment (Protection) Act, 1986, if required;
- (xviii) The Layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- (xix) No labour camp/huts shall be established on the forest land;
- (xx) The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person;



- (xxi) Felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees should be felled under strict supervision of the State Forest Department;
- (xxii) State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt.) dated 03.08.2009 read with 05.07.2013 in support thereof;
- (xxiii) The user agency shall provide 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;
- (xxiv) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xxv) The user agency shall submit the annual self-compliance report in respect of the above conditions to the State Government, concerned Regional Office and this Ministry by the end of March of every year regularly; and
- (xxvi) The user agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations, Guidelines, relevant Hon'ble Court Order (s) and National Green Tribunal (NGT) Order (s), if any, pertaining to this project for the time being in force, as applicable to the project.

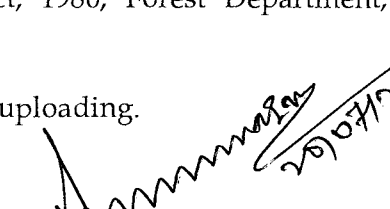
3. After receipt of the report on compliance to the conditions stipulated in the paragraph-2 above, from the State Government of Madhya Pradesh, final / stage-II approval for diversion of the said forest under Section-2 of the Forest (Conservation) Act, 1980 will be issued by this Ministry. Transfer 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,


(Shrawan Kumar Verma)
Deputy Inspector General of Forests (FC)

Copy to:-

1. The Principal Chief Conservator of Forests, Government of Madhya Pradesh, Bhopal.
2. The Addl. Principal Chief Conservator of Forests (Central), Regional Office (Western Zone), Bhopal.
3. The Nodal Officer, under the forest (Conservation) Act, 1980, Forest Department, Government of Madhya Pradesh, Bhopal.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading.
6. Guard File.


(Shrawan Kumar Verma)
Deputy Inspector General of Forests (FC)