

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

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Indira Paryavaran Bhawan,  
Aliganj, Jorbagh Road,  
New Delhi - 110003.

Dated: 24<sup>th</sup> August, 2021

To,

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

**Subject: Diversion of 301.96 ha forest land for the construction of MP-30 Gandhi Sagar off-stream Pumped Storage Project (1440 MW) by M/s Greenko Energies Private Limited, Hyderabad in Neemuch Forest Division, Neemuch District of Madhya Pradesh State (Online proposal No. FPIMP/HYD/116943/2020) - reg.**

Madam/Sir,

I am directed to refer to the Additional Principal Chief Conservator of Forests (Land Management) & Nodal Officer, FCA, Govt. of Madhya Pradesh's letter No. F-4/23/2021/10-11/2058 dated 28<sup>th</sup> June, 2021 on the subject mentioned above seeking prior approval of the Central Government under Section-2 (ii) 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 examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee "*In-principle/ Stage-I*" approval of the Central Government is hereby granted under Section 2 (ii) of the Forest (Conservation) Act, 1980 for non-forest use of 301.96 ha reserved forest land for the construction of MP-30 Gandhi Sagar off-stream Pumped Storage Project (1440 MW) by M/s Greenko Energies Private Limited, Hyderabad in Neemuch Forest Division, Neemuch District of Madhya Pradesh State, subject to the fulfilment of following conditions:

**A: Specific Conditions imposed by Forest Advisory Committee:**

- i. The Wildlife Conservation Plan shall be updated in consultation with WII and approved by CWLW, and the same shall be implemented at the cost of the user agency with an added focus on compensating the lost habitat of schedule species, especially Schedule-I reptilians (e.g. Indian Rock Python, Indian Monitor Lizard, etc.) and avi-fauna, and their improvement in the adjoining forest areas. This plan shall also take into account the fact that the proposed area is a low rainfall area, and presence of a nearby PSP reservoir with sharply

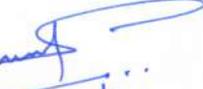
  
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raised edges could create a threat to wild animals that might want to use the reservoir for drinking water and fall into it. Therefore, the Plan shall include creation of alternative water resources in the adjoining forests to minimise the chances of such accidental death of wild animals;

- ii. Keeping in view the specific nature of the project, a CAT Plan is not required. However keeping in view the unique topography, edapho-climatic factors and vegetation of the area, a comprehensive plan regarding the protection, conservation and improvement of areas surrounding the reservoir, roads and other components of the project will be prepared and implemented at the cost of the user agency. In view of thin soil depth and sheet rock below, special treatments that might be required, including use of soil excavated during project construction, would be identified through a study by an specialised institute like ICFRE and their recommendation shall be taken into account for afforestation! regeneration in the adjoining areas. Further, this study shall also focus on regeneration/plantation of vulnerable species found in the area, such as *Pterocarpus marsupium* which is in IUCN Red List of 'Near Threatened' species. Furthermore, such plan should also improve the drainage to augment water supply to the nearby village tank. In addition, trees of such species will be planted and maintained at project cost on either side of the roads and other areas, wherever possible;
- iii. The State govt. will submit a detailed plan indicating the manner in which the muck generated will be transported from different components of the project to the designated dumping site. State govt. shall also ensure strict implementation of the muck management plan;
- iv. State Government shall ensure that present cultivations visible in Google Earth imageries in the CA area shall be removed, and adequate arrangements are made to ensure that there is no resultant encroachment in the remaining adjoining forest area. Same principle shall be applied for forest land to be diverted;
- v. The detailed plan for evacuation and transmission of power so generated from this project will be submitted by the State government. It will be ensured that the evacuation and transmission system so proposed should pass through non-forest land or that the barest minimum forest land shall be used or existing infrastructure shall be used up to technically feasible extent. Further, it is made clear that the prior-approval of this instant project proposal shall in no way create a *fate-accompli* situation for a later evacuation/transmission project proposal, and the Govt. of India shall be under no obligation to necessarily approve such a proposal whenever such a proposal for forest land diversion is submitted by the State Government;

**B: Conditions required to be complied prior to handing over of forest land by the State Forest Department and compliance is to be submitted prior to Stage-II approval:**

- i. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and

  
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erection of 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;

- ii. The State Government shall charge the Net Present Value(NPV) for the 301.96 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, 28/03/2000 , 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-C dated 05/02/2009 in this regard;
- iii. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- iv. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- v. 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;
- vi. All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other modes will not be accepted as compliance of the Stage-I clearance;
- vii. The State Government shall upload the KML files of the area under diversion and the accepted area for raising compensatory afforestation in the E-Green Watch portal of FSI, before handing over forest land to the user agency;
- viii. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

**C: Conditions which need to be complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted and compliance is to be submitted prior to Stage-II approval:**

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. 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;
- iii. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of

  
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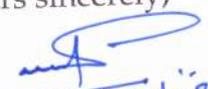
the State Forest Department;

- iv. The felling of trees shall be restricted to FRL-4 meter only and felling of trees shall be carried out by the State Forest Department. Number of trees to be removed shall be kept at barest minimum during the execution of the project.;
- v. User agency shall undertake afforestation along the periphery of the reservoir;
- vi. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
- vii. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- viii. No labour camp shall be established on the forest land;
- ix. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labour after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
- x. 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;
- xi. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xii. 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;
- xiii. The User Agency and the State Government shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project;
- xiv. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xv. User agency shall provide free water for forestry related activities/ projects;
- xvi. 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;
- xvii. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019;
- xviii. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

  
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After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2(ii) of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

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.