

South Central Railway

Office of the  
Dy.Chief Engineer/Construction/  
Akola - 444001.

No. Dy.CE/C/AK/AMX-KNW/Land

Date: 06-07-2022

To

Principal Chief Conservatory of forests  
(Room-Land management)  
Sutapura Bhawan, Madhya Pradesh,  
Bhopal- **462004**.

Sub: In Khandwa-Burhanpur district, Khandwa Forest Division for conversion of Khandwa -Amlakhurd meter gauge to broad gauge line. 6.18 hectares of forest land and 15.31 of Burhanpur forest division. Hectare forestland total 21.49. Regarding giving hectare of forest land to the Deputy Chief Engineer (Construction) South Central Railway, Akola, Maharashtra- reg.

Ref: 1.Principal Chief Conservatory of forests (Land management) Bhopal letter No.F-5/ 1103/2021/10-11/1663 dt.11/05/2022.  
2. Government of India Ministry of Environment, Forest and Climate Change, Regional Office, Bhopal Letter No. 6-MPC 066/2021 BHO/Dated 09.05.2022.

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With reference to MoEF&CC regional office, Bhopal letter cited above the remarks are furnished hereunder.

**A) Conditions which need to be complied prior to handing over of forest land by the State Forest Department.**

S. No.	Conditions	Remarks
1.	The cost of compensatory afforestation on the CA land (43.00 ha degraded forest land) at the prevailing wage rates as per compensatory afforestation scheme (including the cost of survey, demarcation and erection of permanent pillars etc. as required for securing the land against encroachment) shall be deposited in advance with the State 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.	An amount of Rs.1,51,49,812/- has been paid through e-portal on 25.05.2022 and Rs.76,55,435/- on 29.06.2022. DD no.160121 dated 02.07.2022 in favour of Forst Divisional officer, Burhanpur for Rs.22,80,526/- towards supervision fee remitted.
2.	The State Government shall charge the Net Present Value (NPV) for the <b>21.49 ha</b> forest area to be diverted under this proposal from the User Agency as per the order of the Hon'ble Supreme Court of	An amount of Rs.2,64,02,399/- has been paid through e-portal on 25.05.2022

उप मुख्य इंजिनियर  
निर्माण / व.म.रे / अकोला  
Deputy Chief Engineer  
Construction  
South Central Railway  
Akola

	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 and chapter 3 of FCA Handbook, 2019 in this regard.	
3.	<b><i>The State Govt. shall be charged NPV as per MoEF&amp;CC, New Delhi guideline No. 5-3/2011-FC (Vol-I) dated 06/01/2022.</i></b>	"Accepted"
4.	All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ).	All the funds have been deposited through e-portal.
5.	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	OK. FRA,2006 certificate obtained from Collector office of Burhanpur and Khandwa, are enclosed. ( Annexure - "1" & "2")
6.	The KML files of diverted area and CA areas shall be uploaded on the e-Green watch portal with all requisite details prior to Stage-II approval.	Related to forest department.
7.	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.	"Accepted"
8	Speed regulating signage will be erected along the railway line at regular intervals in the Protected area/Forest area.	"Accepted"
9	The User agency will provide suitable underpasses/ overpasses in the Protected area/ Forest area as per recommendations of CWLW/NBWL/REC, if applicable.	"Accepted"

  
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10	The Divisional Forest Officers should submit "No violation certificate " before Stage -II approval.	"Accepted" and related to Forest department.
11	The compliance report shall be uploaded on e-portal( <a href="http://parivesh.nic.in/">http://parivesh.nic.in/</a> ).	" Accepted"
<b>B Conditions which need to be strictly 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 prior to Statge -II approval :</b>		
1	Legal status of the forest land shall remain unchanged	" Accepted"
2	Compensatory afforestation shall be taken up by the Forest Department over 43.00 ha degraded forest land at Survey No. 158, Gram Van Samiti-Jhiri, Forest Range- Asir, District-Burhanpur at the cost of the user agency. As far as possible, a mixture of local native species shall be planted and monoculture of any species, especially non-native species should be avoided	" Accepted"
3	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 also be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.	" Accepted" Undertaking in this regard is attached.( Annexure -"3")
4	User Agency shall restrict the felling of trees to 7957 numbers / minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.	" Accepted"
5	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost.	" Accepted"
6	The layout plan of the proposal shall not be changed without prior approval of Central Government.	" Accepted"
7	No labour camp shall be established on the forest land.	" Accepted"

  
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8	The User Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.	" Accepted"
9	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.	" Accepted"
10	The period of diversion under this approval shall be co-terminus with the period of the project life.	" Accepted"
11	The forest land shall not be used for any purpose other than that specified in the project proposal.	" Accepted"
12	The State Government and user agency shall comply the provisions of the all 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.	" Accepted"
13	The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department, or person without prior approval of Central Government.	" Accepted"
14	Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forest & wildlife.	" Accepted"

In view of the above, it is requested to issue necessary working permission at site to enable completing the targeted Gauge conversion work.

Encl: as above

  
(P. Sivaram)

Dy.Chief Engineer/Const./Akola  
South Central Railway, Akola

Copy to :- CE/C-V/SC for kind information.

**उप मुख्य इंजीनियर  
निर्माण / द.न.रे / अकोला  
Deputy Chief Engineer  
Construction  
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Annexure- "3"

### UNDERTAKING FOR ADDITIONAL AMOUNT OF NPV OF THE DIVERTED FOREST LAND

Any 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 (SCR) hereby agrees to pay the additional NPV amount as and when due.

  
(P.Sivaram)

Date:  
Place: Akola

Dy.Chief Engineer/Const./Akola  
South Central Railway, Akola

Authorised Signatory

उप मुख्य इंजीनियर  
निर्माण / द.म.रे / अकोला  
Deputy Chief Engineer  
Construction  
South Central Railway  
Akola



**Office of the District Collector -Khandwa(M.P)**

Government of Madhya Pradesh

FORM -I

( For Linear Projects)

Annexure: "2"

No. 9518 /SCB/2022/

Dated: 14 /06/2022

**TO WHOMSOEVER IT MAY CONCERN**

In compliance of the Ministry of Environment and Forest ( MoEF), Government of India's letter No. 11/9/1998-FC (Pt.) dated 3<sup>rd</sup> August,2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of right under the Scheduled Tribes and Other Traditional Forest dwellers (Recognition of Forest Rights) Act, 2006 ( 'FRA' for Short) on the forest land proposed to be diverted for non-forest purposes read with MoEF's letter dated 5<sup>th</sup> February 2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that 6.18 hectares of forest land proposed to be diverted in favour of **South Central Railway for Gauge conversion of Railway track from MG to BG between Khandwa-Amlakhurd station of in Bhainsa Reserved Forest ( Compartment no. 748 ) of Khandwa district.**

**It is further certified that :**

- (a) The complete process for identification and settlement of rights under the FRA has been carried out for the entire 6.18 hectares of forest area proposed for diversion. A copy of records of all consultation and meetings of the Forest Right Committee (s), Gram Sabha (s), Sub-Division Level Committee (s) and District Level Committee are enclosed :N.A
- (b) The diversion of Forest for facilities managed by the Government as required under section 3(2) of the FRA have been completed and Gram Sabhas have given consent to it, : N.A
- (c) The proposal does not invoice recognizes rights of Primitive Tribal Groups and Pre-agricultural communities.

NK  
( Anup Kumar Singh)  
Collector

Distt :-Khandwa, M.P  
Dated: 14 /06/2022

End.No. 9519 /SCB/2022/  
Copy to:-

- 1- Dy- Chief Engineer,Construction, South Central Railway Near Railway Station,  
Akola- 444001

NK  
Collector  
Distt :-Khandwa, M.P

**COLLECTOR  
KHANDWA - M.P**

**Office of the District Collector -Burhanpur(M.P)**

Government of Madhya Pradesh

FORM -I

( For Linear Projects)

Annexure "1"

No.

4162

Dated: 13/06/2022

**TO WHOMSOEVER IT MAY CONCERN**

In compliance of the Ministry of Environment and Forest ( MoEF), Government of India's letter No. 11/9/1998-FC (Pt.) dated 3<sup>rd</sup> August,2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of right under the Scheduled Tribes and Other Traditional Forest dwellers (Recognition of Forest Rights) Act, 2006 ( 'FRA' for Short) on the forest land proposed to be diverted for non-forest purposes read with MoEF's letter dated 5<sup>th</sup> February 2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that 15.31 hectares of forest land proposed to be diverted in favour of **South Central Railway for Gauge conversion of Railway track from MG to BG between Khandwa-Amlakhurd stations in Bhainsa Reserved Forest ( Compartment no. 289,290,293 & 294 ) of Burhanpur district.**

It is further certified that :

- The complete process for identification and settlement of rights under the FRA has been carried out for the entire 15.31 hectares of forest area proposed for diversion. A copy of records of all consultation and meetings of the Forest Right Committee (s), Gram Sabha (s), Sub-Division Level Committee (s) and District Level Committee are enclosed : **N.A**
- The diversion of Forest for facilities managed by the Government as required under section 3(2) of the FRA have been completed and Gram Sabhas have given consent to it : **N.A**
- The proposal does not invoice recognizes rights of Primitive Tribal Groups and Pre-agricultural communities.

उप मुख्य इंजिनियर  
निर्माण / द.म.रे / अकोला  
Deputy Chief Engineer  
Construction

Assistant Commissioner  
Janjatiy Kary Vibhag,  
BURHANPUR (M.P.)

( Praveen Singh )  
Collector  
Distt :-Burhanpur, M.P.