

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi - 110003.

Dated: 22nd November, 2021

To

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

The Regional Officer,
Integrated Regional Office,
Bhopal,

Sub: Proposal for diversion of 426.763 ha. of forest land in favour of Water Resources Department, Panna District for construction of Majhagaon Medium Irrigation Project Panna district in the State of Madhya Pradesh (Online proposal no. FP/MP/IRRI/7121/2014) -regarding.

Madam/Sir,

I am directed to refer letter No. F-3/45/2014/10-11/5/3345 dated 05.10.2021 of APCCF (LM) and Nodal Officer, FCA, 1980, Govt. of Madhya Pradesh on the above subject forwarding required information on the compliance of conditions stipulated in the Stage-I approval dated 03.05.2018 and to say that on examination of the said information following shortcoming have been observed: -

- i. The Forest Advisory Committee while examining the proposal had imposed a specific condition that the proposed area of diversion would be measured using total station survey as there was significant variation in the area as per DSS analysis. The justification given by the state govt. that it is not possible to prepare the kml file is not tenable. The area is therefore required to be measured as asked by the FAC. The correct KML file of the proposed area be uploaded in the **Part-I** of the application.
- ii. The state govt has submitted certain notifications issued in the year 1991 vide which the protected forests were de-notified. The legality of such notifications in view of FCA,1980 is required to be examined.
- iii. The condition nos (ii),(ix), (x), (xiv) and (xvi) of the Stage-I approval letter dated

03.05.2018 are the specific conditions imposed by the Forest Advisory Committee after considering all the aspects and the details submitted by the User agency as well as the State government. The state govt. has mentioned that the user agency has inadvertently started the work as the area was recorded in the name of private persons. In case the area was in the name of private land holders then how the provisions of FCA,1980 are applicable has not been mentioned. Moreover the state govt. in the letter dated 05.10.2021 has itself accepted the violation over an area of 2 ha. The State Govt is therefore again requested to comply with all the conditions imposed by the FAC.

- iv. The condition no. (xvi) reads that "...the matter should be investigated under section 3A/3B of the FC Act by the Regional office and reported along with the action taken report against erring officials (those involved in non-forestry use of forest land) already initiated by the State Government". The IRO Bhopal may therefore do the needful.
- v. IRO Bhopal is also requested to inquire into the matter and submit a complete report with respect to violation of FCA,1980 as well as compliance of all other conditions imposed by the FAC.

2. Accordingly, it is requested to furnish the above mentioned information to this Ministry for further consideration of the proposal for grant of Stage-II approval.

Yours sincerely,
Sd/

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. The P.C.C.F & HoFF, Department of Environment & Forest, Government of Madhya Pradesh, Bhopal.
2. The Nodal Officer, FCA, Department of Environment & Forest, Government of Madhya Pradesh, Bhopal.
3. User Agency.
4. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading on PARIVESH portal.