

Sub: Proposal for diversion of 54.87 ha. of Forest Land for construction of Hiran Medium Tank Project in favour of Water Resources Department, Jabalpur District Madhya Pradesh State.-regarding.

1. The Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, the Forest (Conservation) Act, 1980, Government of Madhya Pradesh vide their letter No. F-3/79/2016/10-11/9/558 Bhopal dated 18th February, 2019 (**Pg.1-61/c**) submitted a proposal to obtain prior approval of the Central Government, in terms of the Section-2 (ii) of the Forest (Conservation) Act, 1980 for diversion of 54.87 ha. of Forest Land for construction of Hiran Medium Tank Project in favour of Water Resources Department, Jabalpur District Madhya Pradesh State.
2. After preliminary scrutiny the proposal the Ministry revealed the following shortcomings:
 - (i) The State Government / User Agency has not submitted a copy of approved Catchment Area Treatment (CAT) Plan with the estimated cost of the plan.
 - (ii) The recommendations of the CCF have not been submitted in original format with official seal and the same is required to be uploaded on the forest clearance web portal in respect of the above said project.
 - (iii) The purpose wise breakup of the forest land proposed for diversion has not been given.
 - (iv) The user agency has not submitted undertakings to bear the cost of CA & NPV.
 - (v) A total of 82.434 Ha area of non-forest land has been provided by the State Government for CA. After analysis through DSS, it was found that an area of 6.65 ha of CA land is falling in Protected forest area i.e. compartment No. 296, Division Jabalpur, Range Kundam. The KML of CA land provided by the State Govt. is not appropriate as there are encroachment and some area are falling in protected forest land. Therefore, revised KML file of non-forest CA land with duly verified legal status of CA land may be submitted.
3. The above shortcomings were communicated to the State Government of Madhya Pradesh vide this Ministry's letter dated 29th March, 2019 (**Pg.67/c**). The Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, the Forest (Conservation) Act, 1980, Government of Madhya Pradesh vide their letter No.F-3/79/2016/10-11/9/1321 Bhopal dated 02.05.2019 (**Pg.68-76/c**) has submitted the information/documents in respect of this Ministry's letter dated 29.03.2019. Summary of the same is given as under:
 - (i) The State Government has submitted a copy of the CAT plan (**Pg.69-70/c**).
 - (ii) The State Government has submitted a copy of the recommendation of the CCF, Jabalpur for diversion of 54.87 ha. of Forest Land for construction of Hiran Medium Tank Project in favour of Water Resources Department, Jabalpur, under the FC Act, 1980 (**Pg.74/c**).
 - (iii) The State Government has reported the purpose wise breakup has been uploaded on the web portal in part-I (B-2.4).
 - (iv) The State Government has reported that the user agency has submitted a copy of undertakings to bear the cost of CA & NPV(**Pg.71-72/c**).
 - (v) The State Government has reported that the Collector, Jabalpur vide his letter No.3655/VAN BHOOMI/HIRAN/2018 dated 01.12.2018 (**Pg.73/c**)has uploaded the KML on the web portal of identified & transferred the non-forest land i.e.66.97 ha. in lieu of diversion of 54.87 ha. in village Tori Khsara No.1. It is further stated that the encroachment will be removed before the issue of Stage-II approval under FC Act, 1980.
4. Details indicated in the proposal submitted by the Government of Madhya Pradesh dated 18.02.2019 are as below:

FACT SHEET

1.	Name of the Proposal	Proposal for diversion of 54.87 ha. of Forest Land for construction of Hiran Medium Tank Project in favour of Water Resources Department, Jabalpur District Madhya Pradesh State.
	Location:	
(i)	State	Madhya Pradesh.
(ii)	District	Jabalpur.
(iii)	Category	Irrigation.
(iv)	Total period for which the forest land is proposed to be diverted (in year).	99
2.	Detail of user agency	
(i)	Name of the user agency	Water Resources Department.
(ii)	Nature of user agency	State Government.
3.	Particular of Forests	

(i)	Name of Forest Division	Jabalpur (T)
(ii)	Area of Forest land for Diversion	54.87 Ha.
(iii)	Legal Status of Forest land	Protected Forest = 54.87 Ha.
(iv)	Density of Vegetation	Area = 54.87 Ha. Density = 0.4 Eco class = 3
4.	Maps	
	Differential GPS map of the area proposed for diversion	(Pg.13/c).
	Differential GPS map of the area identified for raising CA	(Pg.26/c).
	Survey of India toposheet on 1:50,000 scale showing the area proposed for diversion	(Pg.12/c).
	Survey of India toposheet on 1:50,000 scale showing the area identified for CA	(Pg.27-28/c).
	Land use plan	Not given.
	Forest Cover map	Not given.
5.	Vegetation	
	Species-wise and diameter class wise enumeration of trees.	Details of Species – wise and diameter class wise enumeration of trees are available in the file and the same is available at (Pg.25/C).
	Density	0.4
	Number of trees to be felled	1569 As reported by the State Government.
	Working plan prescription for the forest land proposed for diversion.	Proposed Forest land comes under RDF working circle.
6.	Vulnerability of area to soil erosion	No soil erosion.
7.	Details of wildlife present in and around the forest land proposed for diversion;	Nil.
8.	Approximate distance of proposed site for diversion from boundary of forest.	-0-
9.	Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor etc. (if so, the details of the area the comments of the Chief Wildlife Warden to be annexed)	-No-
10.	Whether any rare/ endangered/ unique species of flora and fauna found in the area if so, details thereof.	-No-
11.	Whether any protected archaeological/ heritage site/ defence establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	-No-
12.	Whether the requirement of forest land as proposed by the User Agency in col.2 of Part-I is unavoidable and bare minimum for the project. If no, recommended area item-wise with details of alternatives examined.	-Yes-
13.	Whether any work in violation of the Act has been carried out (Yes/ No). If yes, details of the same including period of	

	work done, action taken on erring officials. Whether work in violation is still under progress.	-No-
14.	Details of Compensatory Afforestation Scheme:	
	Details of non-forest area/ degraded forest area identified for compensatory Afforestation, its distance from adjoining forest, number of patches, size of each patch.	The Compensatory Afforestation on proposed is non – forest land (Revenue land) i.e. 79.540 ha. of non-forest land (Revenue land) in lieu of 54.87 ha. of forest land being diverted for plantation in Jabalpur district village Tori State of Madhya Pradesh. The CA scheme with the provisions of the maintenance for 10 years has been submitted and a copy of the same is available in the at page 31-35/c.
	Map showing non-forest/ degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	
	Detailed compensatory Afforestation scheme including species to be planted, implementing Agency, time schedule, cost structure etc.	(Pg.27-28/c) District – Jabalpur Area – 79.540 ha. Village – Tori Compartment /Khasra No. – 1
	Total financial outlay for compensatory Afforestation scheme.	Rs.1,84,60,750/- as reported by the State Government.
	Certificate from competent authority regarding suitability of area identified for compensatory Afforestation and from management point of view. To be signed by the concerned Deputy Conservatory of Forests.	The Certificate from competent authority regarding suitability of area identified for Compensatory Afforestation, a copy of the same is available and the same is seen at (Pg.37/c).
15.	Documentary evidence in support of settlement of rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 on the forest land proposed to be diverted enclosed.	The District Collector, Jabalpur, Government of Madhya Pradesh has issued a FRA certificate vide his letter No.2149 dated 26.11.2018 certifying the information in respect of all clauses of the MoEF's advisory dated 05.07.2013 (Pg. 49/c) i.e. diversion of 54.87 ha. forest land for facilities managed by the Government and safeguarding the rights of Primitive Tribal Group and Pre-Agricultural Communities as required under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, discussion on the proposal in meeting of concerned Gram Sabha (s) maintaining the prescribed quorum, etc. The concerned Gram Sabha (s) of Gram panchayat Badhua, Badkur, Ghughra, Ghodatakan, Kuswadabra, Karanpura, Samnapur&Hadipani village (S) in Jabalpur District. Documentary evidences in support of settlements of rights under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has not been given.
16.	Site Inspection Report of the Divisional Forest Officer in compliance to the conditions stipulated in the col. 7 (xi, xii) 8 and 9 previous approval.	The Site Inspection Report carried out by the Divisional Forest Officer, Jabalpur, Madhya Pradesh, copy of the same may kindly be seen at (Pg.54-55/c).
17.	Whether the project requires	EC application yet to be submitted.

	environment clearance.	
18.	Status of Wildlife clearance.	Not applicable.
19.	Catchment Area Treatment Plan.	The Catchment Area Treatment plan with estimated cost has been given and the copy of the same is placed in the file at (Pg.69-70/c) .
20.	Total command area of the project	It is reported by the State Government of Madhya Pradesh the Command area of 8125 Ha.
21.	Rehabilitation of Oustee	-No-
	Number of SC Families	
	Number of ST families	
	Number of Backward Families	
	Copies of R&R Plan	
22.	Cost Benefit Analysis	Cost benefit due to this project 4781.66, Cost benefits Analysis report is placed in the file may kindly be seen at (Pg.17-19/c) .
23.	Total Cost of the project	Rupees 22599.18/- Lakhs it is reported by the State Government.
24.	Employment Potential	Regular Employment = 750 Temporary Employment = 252
25.	Undertakings to bear the cost of CA and NPV	The User Agency has given the under taking to bear the cost of NPV / CA (Pg.71-72/c) .
26.	Profile of the District / Department / Jabalpur Division.	
	Geographical Area of the Dist.	565534 Ha.
	Total Forest Area	71792.352 Ha.
	Total area diverted since 1980	Area 357.40 ha. Number of case - 29
	Total area proposed for afforested since 1980	Degraded forest land ---- ha Penal CA over Forest land 54 ha. Non-forest land ---- ha
	Total area afforested since 17.10.2018	Degraded forest land ---- ha Forest land 456.30 ha. Non-forest land 925.439 ha.
27.	Recommendation with Specific conditions, (if any)	
	DFO	Recommended. (at page no.56/c)
	CCF	Recommended. (at page no.74/c)
	PCCF/ Nodal Officer (FCA)	Recommended. (at page no.60/c)
	State Govt.	Recommended. (at page no.61/c)

5. The Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, Forest (Conservation) Act, 1980, State Government of Madhya Pradesh vide its letter dated 18.02.2019 submitted following additional information pertaining to the proposal:

(i) The user agency has proposed the diversion of above said forest land for a period of 99 years.

(ii) The Hiran Medium Irrigation project is of great importance from National point of view and also for development of agriculture and drinking water including generation of employment to those living in close vicinity of the project.

In view of the above facts related to the proposal, it is proposed that proposal may be submitted to the Forest Advisory Committee (FAC), in its meeting scheduled to be held on **22.05.2019**.
