

कार्यालय प्रधान मुख्य वन संरक्षक (कक्ष-भू प्रबंध), सतपुड़ा भवन, मध्यप्रदेश, भोपाल

क्रमांक/एफ-3/83/2017/10-11/12/1125

भोपाल, दिनांक 25/3/22

प्रति,

वन महानिरीक्षक (एफ.सी.)

भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय,

इंदिरा पर्यावरण भवन, अलीगंज,

जोरबाग रोड़,

नई दिल्ली-110003

विषय:-सागर जिले के अन्तर्गत कैथ मध्यम सिंचाई परियोजना के निर्माण हेतु 79.912 हेक्टेयर वनभूमि जल संसाधन विभाग को उपयोग पर देने बाबत।

संदर्भ:-भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, इंदिरा पर्यावरण भवन, अलीगंज, जोरबाग रोड़, नई दिल्ली का पत्र क्र. 8-20/2018-FC दिनांक 30/10/2018

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महोदय,

विषयांतर्गत प्रकरण में भारत सरकार के उक्त संदर्भित पत्र द्वारा जारी की गयी सैद्धांतिक स्वीकृति में अधिरोपित शर्तों का शर्तवार पालन प्रतिवेदन प्राप्त किया जाकर निम्नानुसार प्रेषित है :-

| शर्त | शर्त का विवरण | शर्त का पालन |
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| i. | Legal status of the diverted forest land shall remain unchanged; | इस शर्त से आवेदक संस्था सहमत है। आवेदक संस्था का इस संबंध में वचन पत्र परिशिष्ट-1 में संलग्न है। |
| ii | The DGPS map of the area proposed for diversion and CA areas will be submitted before stage-II approval; | प्रत्यावर्तन हेतु प्रस्तावित वनक्षेत्र का DGPS map परिशिष्ट-2 पर तथा क्षतिपूर्ति वनीकरण हेतु दी गई गैर वनभूमि का DGPS map परिशिष्ट-3 पर संलग्न है। |
| iii | The details of approved Land Use Plan will be submitted before Stage-II approval; | आवेदक संस्था द्वारा प्रस्ताव में उल्लेखित वनभूमि का उपयोग का विवरण प्रस्तुत किया है जो परिशिष्ट-4 पर संलग्न है। |
| iv | CA site should be made free from encroachment before Stage-II approval; | क्षतिपूर्ति वनीकरण के लिये उपलब्ध कराई गई गैर वनभूमि अतिक्रमण से पूर्णतः मुक्त है। नोडल अधिकारी द्वारा दिनांक 19.03.2022 को स्थल का निरीक्षण किया। पूर्व में इस भूमि पर जो अतिक्रमण थे वह पूर्णतः हटाये जा चुके हैं। क्षतिपूर्ति वनीकरण की भूमि वन विभाग के अधिपत्य में है तथा अतिक्रमण मुक्त है। |

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| v | <p>The Compensatory Afforestation shall be done over equal non-forest land (NFL) to the forest area proposed to be diverted within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved Plan in consultation with the State Forest Department at the cost of the user agency. At least 1000 saplings per hectares shall be planted over 79.912 ha. (79912 plants). If this is not possible to plant these many seedlings in the identified NFL, the balance seedlings will be planted in degraded forest land as per the prescriptions of the Working Plan at the cost of the User agency. In such case CA cost will be revised and duly approved by competent authority and deposited online in the CAF managed by CAMPA;</p> | <p>प्रस्ताव में औपचारिक स्वीकृति प्राप्त होने के उपरांत एक वर्ष में क्षतिपूर्ति वनीकरण का कार्य कर लिया जायेगा। क्षतिपूर्ति वनीकरण के लिये उपलब्ध कराई गई गैर वनभूमि पर भारत सरकार की शर्त के अनुसार 79912 पौधें रोपित किये जायेंगे।</p> |
| vi | <p>The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale;</p> | <p>आवेदक संस्था द्वारा क्षतिपूर्ति वनीकरण के लिये उपलब्ध कराई गई गैर वनभूमि को 1:50,000 की टोपोशीट पर अंकित किया है जिसे परिशिष्ट-5 पर संलग्न किया गया है।</p> |
| vii | <p>The non-forest land to be transferred and mutated in favour of the State Forest Department for raising Compensatory Afforestation shall be notified as reserved Forest under Section-4 or Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act. The Nodal officer must report compliance within a period of 6 month from the date of grant of final approval and send a copy of the 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 local Forest Act as the case may be, to this Ministry for information and record;</p> | <p>सहमत है। औपचारिक स्वीकृति प्राप्त होने के छः माह में क्षतिपूर्ति वनीकरण की भूमि को अधिसूचित कर लिया जायेगा। क्षतिपूर्ति वनीकरण के लिये उपलब्ध कराई गई गैर वनभूमि वन विभाग के नाम नामांतरित हो चुकी है।</p> |

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| viii | The User Agency shall transfer the cost of raising and maintaining the 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; | आवेदक संस्था द्वारा क्षतिपूर्ति वनीकरण के लिये राशि रु. 2,33,17,801 की राशि ऑनलाईन परिवेश पोर्टल के माध्यम से जमा कराई गई है। |
| ix | The User Agency shall provide additionally 25% of the CA cost towards Soil and Moisture Conservation measures in the proposed CA area as per site requirement and the said amount may be deposited in the account of Ad-hoc CAMPA of the concerned State through online e-portal only; | प्रकरण में क्षतिपूर्ति वनीकरण की योजना में मृदा एवं जल संरक्षण कार्यों को सम्मिलित किया गया है तथा उसी अनुसार क्षतिपूर्ति वनीकरण हेतु राशि रु. 2,33,17,801 की राशि आवेदक संस्था से जमा कराई गई है। |
| x | The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 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. The requisite funds shall be transferred through online portal into Ad-hoc CAMPA account of the State Concerned; | आवेदक संस्था द्वारा नेट प्रजेंट वैल्यू के लिये राशि रु. 5,00,24,912 की राशि ऑनलाईन परिवेश पोर्टल के माध्यम से जमा कराई गई है। |
| xi | Any fund received from the user agency under the project and deposited in the State Forest Department account, except the funds realized for regeneration/ demarcation of safety zone, shall be transferred through online portal into Adhoc CAMPA account of the State Concerned; | आवेदक संस्था द्वारा सभी राशियां ऑनलाईन पोर्टल के माध्यम से जमा कराई गई है। |
| xii | 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; | आवेदक संस्था द्वारा सभी राशियां ऑनलाईन पोर्टल के माध्यम से जमा कराई गई है। |

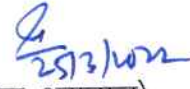
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| xiii | At the time of payment on the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India; | आवेदक संस्था द्वारा इस संबंध में वचन पत्र प्रस्तुत किया है, जो परिशिष्ट-6 में संलग्न है। |
| xiv | The approved Catchment Area Treatment (CAT) Plan shall be implemented at the cost of user agency. The commensurate cost of CAT plan will be deposited in the CAMPA account through e-portal; | आवेदक संस्था द्वारा CAT Plan के लिये रु. 84,44,865 की राशि ऑनलाइन परिवेश पोर्टल पर जमा की गई है। |
| xv | 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; | क्षतिपूर्ति वनीकरण के लिये उपलब्ध कराई गई गैर वनभूमि का निरीक्षण नोडल अधिकारी, मध्यप्रदेश द्वारा दिनांक 19.03.2022 को किया गया है। क्षतिपूर्ति वनीकरण के लिये उपलब्ध कराई गई गैर वनभूमि कक्ष क्रमांक 502 से लगी हुई है तथा रोपण योग्य है। प्रस्तावित स्थल के निकट एक तालाब निर्मित है, जिससे रोपण क्षेत्र को सिंचित भी किया जा सकता है। क्षतिपूर्ति वनीकरण के लिये उपलब्ध कराई गई गैर वनभूमि पूर्णतः अतिक्रमण मुक्त है। |
| xvi | The User agency shall obtain the Environment Clearance as per the provisions of the Environment (Protection) Act, 1986, if required | आवेदक संस्था द्वारा इस प्रस्ताव में भारत सरकार द्वारा जारी पर्यावरणीय स्वीकृति दिनांक 11.10.2017 की प्रति संलग्न की है, जो परिशिष्ट-7 पर संलग्न है। |
| xvii | The State Government shall ensure that the forest land located between FRL and the FRL-4 meters may be afforested by planting appropriate indigenous tree species; | इस शर्त से आवेदक संस्था सहमत है। इस संबंध में आवेदक संस्था का वचन पत्र परिशिष्ट-8 पर संलग्न है। |
| xviii | The User Agency shall undertake afforestation along the periphery of the reservoir; | इस शर्त से आवेदक संस्था सहमत है। इस संबंध में आवेदक संस्था का वचन पत्र परिशिष्ट-9 पर संलग्न है। |
| xix | The User agency shall provide free water for the forestry related projects; | इस शर्त से आवेदक संस्था सहमत है। इस संबंध में आवेदक संस्था का वचन पत्र परिशिष्ट-10 पर संलग्न है। |
| xx | Layout plan of the proposal shall not be changed without the prior approval of the Central Government; | इस शर्त से आवेदक संस्था सहमत है। इस संबंध में आवेदक संस्था का वचन पत्र परिशिष्ट-11 पर संलग्न है। |
| xxi | No construction of buildings / labour camp/huts shall be allowed on the forest land; | इस शर्त से आवेदक संस्था सहमत है। इस संबंध में आवेदक संस्था का वचन पत्र परिशिष्ट-12 पर संलग्न है। |

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| xxii | 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; | इस शर्त से आवेदक संस्था सहमत है। इस संबंध में आवेदक संस्था का वचन पत्र परिशिष्ट-13 पर संलग्न है। |
| xxiii | Felling of tress 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; | प्रकरण में औपचारिक स्वीकृति जारी होने के बाद वृक्षों के काटने का कार्य वन विभाग द्वारा ही किया जायेगा। विदोहन कार्य में न्यूनतम आवश्यक वृक्ष ही काटे जायेंगे। |
| xxiv | The State Government ensure that the user agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work. The said R&R Plan will be monitored by the State Government / Regional Office of MoEF & CC along with indicators for monitoring and expected observable milestones; | इस शर्त से आवेदक संस्था सहमत है। इस संबंध में आवेदक संस्था का वचन पत्र परिशिष्ट-14 पर संलग्न है। |
| xxv | User agency in consultation with the State Forest Department shall create and maintain alternate habitat/home for the avifauna, whose nesting tress are to be cleared in this project. Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project; | इस शर्त से आवेदक संस्था सहमत है। इस संबंध में आवेदक संस्था का वचन पत्र परिशिष्ट-15 पर संलग्न है। |
| xxvi | 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; | आवेदक संस्था द्वारा वन अधिकार अधिनियम, 2006 के तहत प्रमाण पत्र प्रस्तुत किया है। प्रमाण पत्र के साथ विभिन्न स्तरों पर आयोजित बैठक कार्यवाही विवरण भी प्रस्तुत किया है, जो परिशिष्ट-16 पर संलग्न है। |
| xxvii | 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; | इस शर्त से आवेदक संस्था सहमत है। इस संबंध में आवेदक संस्था का वचन पत्र परिशिष्ट-17 पर संलग्न है। |

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| xxviii | Boundary of the forest land proposed to be diverted shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing, distance from pillar to pillar and GPS co-ordinates; | इस शर्त से आवेदक संस्था सहमत है। इस संबंध में आवेदक संस्था का वचन पत्र परिशिष्ट-18 पर संलग्न है। प्रस्ताव में औपचारिक स्वीकृति प्राप्त होने के उपरांत आवेदक संस्था को वन भूमि हस्तांतरित करने के पूर्व यह कार्यवाही कर ली जायेगी। |
| xxix | The State Government shall maintain the character of the projects as an irrigation project and to ensure continued benefit to the farmers in the command area, no more diversion of water from the project for industrial projects will be permitted in future; | इस शर्त का पालन वन विभाग द्वारा किया जाना सुनिश्चित किया जायेगा। |
| xxx | 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; | इस शर्त से आवेदक संस्था सहमत है। इस संबंध में आवेदक संस्था का वचन पत्र परिशिष्ट-19 पर संलग्न है। |
| xxxi | 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 | इस शर्त से आवेदक संस्था सहमत है। इस संबंध में आवेदक संस्था का वचन पत्र परिशिष्ट-20 पर संलग्न है। |
| xxxii | 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; | इस शर्त से आवेदक संस्था सहमत है। इस संबंध में आवेदक संस्था का वचन पत्र परिशिष्ट-21 पर संलग्न है। |

अतः प्रकरण में अनुरोध है कि भारत सरकार से औपचारिक स्वीकृति प्राप्त कर अवगत कराने का कष्ट करें।

संलग्न:-उपरोक्तानुसार।


 (सुनील अग्रवाल)
 प्रधान मुख्य वन संरक्षक (भू-प्रबंध)
 मध्यप्रदेश, भोपाल

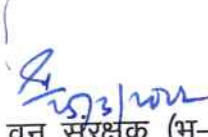
पृ. क्रमांक/एफ-3/83/2017/10-11/12/1126

भोपाल, दिनांक 25/3/22

प्रतिलिपि:-

1. प्रमुख अभियंता, जल संसाधन विभाग, 1250, भोपाल, मध्यप्रदेश।
2. मुख्य वन संरक्षक (क्षेत्रीय) सागर वृत्त सागर, मध्यप्रदेश।
3. वनमंडलाधिकारी, (सा0) दक्षिण वनमंडल सागर, मध्यप्रदेश।
4. कार्यपालन यंत्री, जल संसाधन संभाग, क्रमांक-1, सागर, मध्यप्रदेश।

की ओर सूचनार्थ अग्रेषित।


प्रधान मुख्य वन संरक्षक (भू-प्रबंध)
मध्यप्रदेश, भोपाल

कार्यालय परियोजना संचालक, बीना पी.एम.यू. जल संसाधन विभाग
सागर (म.प्र.)

वचन पत्र

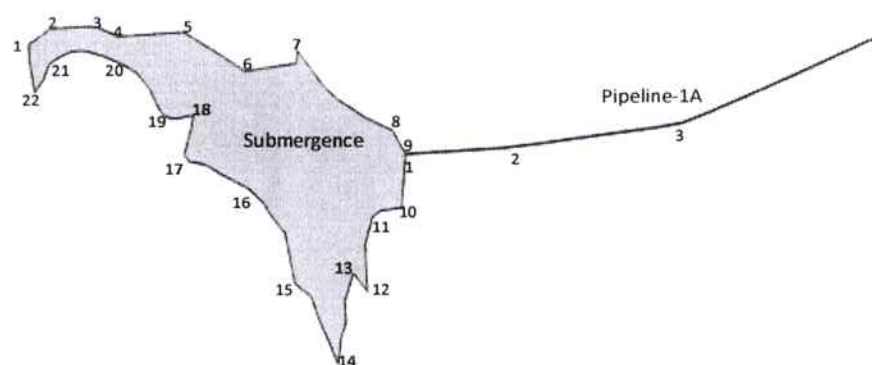
प्रस्ताव में भारत सरकार की शर्त **"Legal status of the diverted forest land shall remain unchanged"** मान्य है। म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



परियोजना प्रबंधक

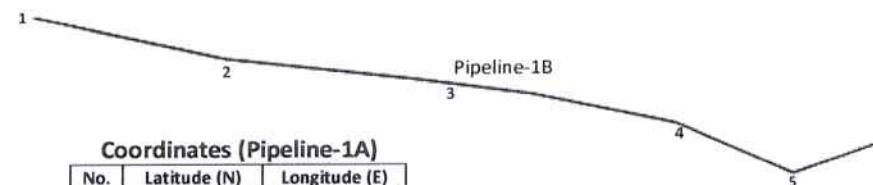
बीना (पी.एम.यू.) जल संसाधन विभाग
सागर (म.प्र.)

Geo Referenced Map
Kaith Medium Irrigation Project
(Area : 79.912 Ha.)



1 2 Saddle-1
3

1 2 Saddle-2
3 4



Coordinates (Pipeline-1A)

| No. | Latitude (N) | Longitude (E) |
|-----|---------------|---------------|
| 1 | 23°40'40.08"N | 78°55'16.38"E |
| 2 | 23°40'42.01"N | 78°55'36.22"E |
| 3 | 23°40'44.23"N | 78°56'0.80"E |
| 4 | 23°40'55.37"N | 78°56'29.82"E |

Coordinates (Pipeline-1B)

| No. | Latitude (N) | Longitude (E) |
|-----|---------------|---------------|
| 1 | 23°41'7.89"N | 78°57'2.15"E |
| 2 | 23°41'2.07"N | 78°57'33.66"E |
| 3 | 23°40'58.78"N | 78°58'8.66"E |
| 4 | 23°40'53.04"N | 78°58'45.11"E |
| 5 | 23°40'46.18"N | 78°59'3.62"E |
| 6 | 23°40'50.14"N | 78°59'17.22"E |

Coordinates (Saddle-1)

| No. | Latitude (N) | Longitude (E) |
|-----|---------------|---------------|
| 1 | 23°40'1.97"N | 78°54'48.46"E |
| 2 | 23°40'0.11"N | 78°54'51.98"E |
| 3 | 23°39'54.86"N | 78°54'56.04"E |

Coordinates (Saddle-2)

| No. | Latitude (N) | Longitude (E) |
|-----|---------------|---------------|
| 1 | 23°39'34.25"N | 78°54'40.05"E |
| 2 | 23°39'33.01"N | 78°54'41.71"E |
| 3 | 23°39'27.03"N | 78°54'43.16"E |
| 4 | 23°39'25.70"N | 78°54'42.01"E |

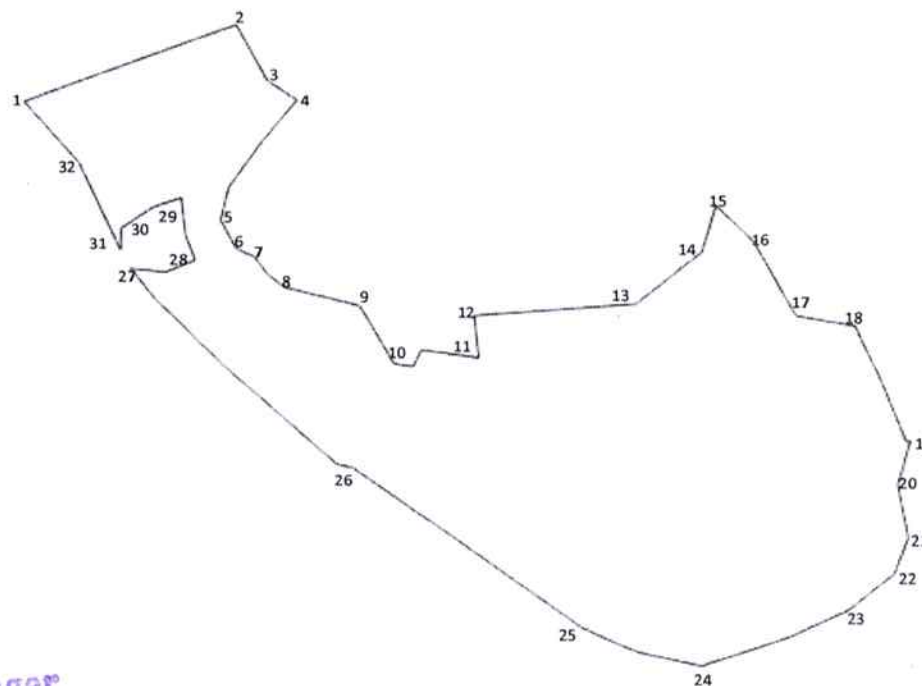
Coordinates (Dam & Submergence)

| No. | Latitude (N) | Longitude (E) |
|-----|---------------|---------------|
| 1 | 23°40'54.99"N | 78°54'16.63"E |
| 2 | 23°40'57.21"N | 78°54'19.95"E |
| 3 | 23°40'57.55"N | 78°54'27.36"E |
| 4 | 23°40'56.12"N | 78°54'30.87"E |
| 5 | 23°40'56.91"N | 78°54'40.98"E |
| 6 | 23°40'51.49"N | 78°54'50.63"E |
| 7 | 23°40'54.04"N | 78°54'59.02"E |
| 8 | 23°40'43.24"N | 78°55'14.25"E |
| 9 | 23°40'40.07"N | 78°55'16.40"E |
| 10 | 23°40'32.76"N | 78°55'15.66"E |
| 11 | 23°40'31.35"N | 78°55'10.97"E |
| 12 | 23°40'21.42"N | 78°55'10.17"E |
| 13 | 23°40'23.50"N | 78°55'7.85"E |
| 14 | 23°40'11.50"N | 78°55'5.47"E |
| 15 | 23°40'22.11"N | 78°54'58.61"E |
| 16 | 23°40'33.54"N | 78°54'53.31"E |
| 17 | 23°40'39.81"N | 78°54'41.11"E |
| 18 | 23°40'45.32"N | 78°54'42.45"E |
| 19 | 23°40'45.16"N | 78°54'38.18"E |
| 20 | 23°40'53.55"N | 78°54'28.22"E |
| 21 | 23°40'52.34"N | 78°54'19.75"E |
| 22 | 23°40'48.47"N | 78°54'17.54"E |

[Signature]

Project Manager
 Bina P.M.U. Water Resource Department
 SAGAR (M.P.)

Geo Referenced Map
(Compensatory Afforestation Land)
Kaith Medium Irrigation Project
(Village : Fulwari, Khasra No. 01& 43, Area : 79.912 Ha.)



Singh
Project Manager
Bina P.N.U. Water Resource Department
SAGAR (M.P.)

Coordinates Point

| No. | Latitude (N) | Longitude (E) |
|-----|---------------|---------------|
| 1 | 24°17'8.33"N | 79° 9'35.34"E |
| 2 | 24°17'13.55"N | 79° 9'48.60"E |
| 3 | 24°17'9.73"N | 24°17'9.73"N |
| 4 | 24°17'8.33"N | 79° 9'52.48"E |
| 5 | 24°17'0.41"N | 79° 9'47.71"E |
| 6 | 24°16'58.42"N | 79° 9'48.50"E |
| 7 | 24°16'57.69"N | 79° 9'49.80"E |
| 8 | 24°16'55.97"N | 79° 9'51.59"E |
| 9 | 24°16'54.39"N | 79° 9'56.42"E |
| 10 | 24°16'50.62"N | 79° 9'58.63"E |
| 11 | 24°16'51.07"N | 79°10'3.79"E |
| 12 | 24°16'53.58"N | 79°10'3.46"E |
| 13 | 24°16'54.48"N | 79°10'13.52"E |
| 14 | 24°16'57.99"N | 79°10'17.93"E |
| 15 | 24°17'1.21"N | 79°10'18.96"E |
| 16 | 24°16'58.34"N | 79°10'21.49"E |
| 17 | 24°16'53.66"N | 79°10'23.94"E |
| 18 | 24°16'52.95"N | 79°10'27.72"E |
| 19 | 24°16'44.98"N | 79°10'31.17"E |
| 20 | 24°16'42.00"N | 79°10'30.42"E |
| 21 | 24°16'38.58"N | 79°10'31.10"E |
| 22 | 24°16'36.03"N | 79°10'30.25"E |
| 23 | 24°16'33.69"N | 79°10'27.46"E |
| 24 | 24°16'29.89"N | 79°10'17.91"E |
| 25 | 24°16'32.74"N | 79°10'10.13"E |
| 26 | 24°16'43.70"N | 79° 9'54.77"E |
| 27 | 24°16'56.96"N | 79° 9'41.95"E |
| 28 | 24°16'57.71"N | 79° 9'46.06"E |
| 29 | 24°17'1.79"N | 79° 9'45.00"E |
| 30 | 24°16'59.78"N | 79° 9'41.43"E |
| 31 | 24°16'58.26"N | 79° 9'41.09"E |
| 32 | 24°17'4.41"N | 79° 9'38.70"E |

कार्यालय परियोजना संचालक, बीना पी.एम.यू. जल संसाधन विभाग
सागर (म.प्र.)

वचन पत्र

प्रस्ताव में 79.912 हेक्टेयर भूमि वन विभाग का उपयोग निम्न कार्यों के लिये किया गया है :-

| S.no | Component | Forest Land (ha.) |
|-------|-----------------|-------------------|
| 1 | Dam sheet | 1.2 |
| 2 | Canal | 1.884 |
| 3 | Dam Submergence | 76.828 |
| Total | | 79.912 |


परियोजना प्रबंधक

बीना (पी.एम.यू.) जल संसाधन विभाग
सागर (म.प्र.)

कार्यालय परियोजना संचालक, बीना पी.एम.यू. जल संसाधन विभाग
सागर (म.प्र.)

वचन पत्र

भारत सरकार की शर्त "The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale" के अनुसार क्षतिपूर्ति वनीकरण के लिये उपलब्ध कराई गई गैर वनभूमि को 1:50,000 की टोपोशीट पर अंकित किया है। (पुनः)


परियोजना प्रबंधक

बीना (पी.एम.यू.) जल संसाधन विभाग
सागर (म.प्र.)

कार्यालय परियोजना संचालक, बीना पी.एम.यू. जल संसाधन विभाग
सागर (म.प्र.)

वचन पत्र

भारत सरकार की शर्त "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 " के अनुसार **Net Present Value (NPV)** की अतिरिक्त राशि निर्धारित होने पर प्रचलित दर पर उपयोगकर्ता एजेंसी माननीय सुप्रीम कोर्ट के अंतरिम निर्णय अनुसार जमा करावेगी।



परियोजना प्रबंधक

बीना (पी.एम.यू.) जल संसाधन विभाग
सागर (म.प्र.)

No. J-12011/30/2017-IA-I (R)
Ministry of Environment, Forest & Climate Change
Government of India
(IA.I Division)

Indira Paryavaran Bhawan
3rd Floor, Vayu Wing
Jor Bagh Road
New Delhi-3

Date: 11th October, 2017

To

The Engineer-in-Chief
Office of the Engineer-in- Chief
Water Resources Department
Jal Sansadhan Bhawan
Tulsi Nagar, Bhopal - 3.
e-mail : encwrbpl@mp.nic.in

Subject: Kaith Medium Irrigation Project in Sagar District of Madhya Pradesh by Water Resources Department, Govt. of Madhya Pradesh - TOR. Regarding.

Sir,

This is with reference to your letter No. Env/Code/05/2017/68/2054 dated 3.8.2017 on the above mentioned subject.

2. The said proposal was appraised by the Environment Appraisal Committee (EAC) for River Valley and Hydro Electric Power Projects (RV&HEP) in its meeting held on 22.9.2017. The comments and observations of EAC may be seen in the minutes of the meeting which are available on the Ministry's web-site.
3. Kaith Medium Irrigation Project with a view to construct storage reservoir across Kaith River (tributary of Sonar River in Dhasan-Ken Basin) to irrigate 5,135 ha of area. It is a Category "B" project. SEIAA in the state is not in operation; hence the project was submitted to Central level for ToR.
4. The Kaith Gravity Dam is 600 m long with concrete spillway of 41 m long having capacity to pass the flood discharges of 1,164 Cumecs and routed flood discharge of 850.724 Cumecs with a maximum height 13.40 m above foundation. Similarly, another dam viz., Narayan storage earthen dam on Jharo nallah shall be constructed with height of 18.14 m and length is 240 m. One Narayanpura subsidiary bund of height 14.21 m and length of 660 m has been proposed. Another Hanouta Khurd subsidiary bund has been proposed of height 7.16 m and length 630 m. The catchment area of the Kaith Gravity Dam is 78.50 Sq. km. The Submergence area for Kaith gravity dam is 450.18 ha (Govt. land - 48 ha, Private land - 322.268 and Forest land - 79.912 ha). The gross storage of the Kaith gravity dam shall be 22.117 MCM. The live Storage capacity of the Kaith gravity dam is 21.967 MCM out

of which 1 MCM is reserved for drinking water. The total utilization for the 75% dependable year (2004-05) shall be 20.967 MCM for irrigation and 1 MCM for drinking and industrial uses. The estimated cost of the project is Rs. 162.47 crores. The project shall be completed in 24 months.

4. Based on recommendations of the EAC, the Ministry of Environment Forest & Climate Change hereby accords a Terms of Reference for pre-construction activities at the proposed site as per the provisions of the Environmental Impact Assessment Notification, 2006 and subsequent amendment in 2009 along with the following conditions for preparation of EIA/EMP report:

- (a) The EIA/EMP report should contain the information in accordance with provisions & stipulations as given in the **Annexure-I**.
- (b) The Consultant engaged for preparation of EIA/EMP report has to be registered with Quality Council of India (QCI)/NABET under the scheme of Accreditation & Registration of MoEF. This is a pre-requisite.
- (c) Consultants shall include a "Certificate" in EIA/EMP report regarding portion of EIA/EMP prepared by them and data provided by other organization(s)/ laboratories including status of approval of such laboratories.
- (d) The draft EIA/EMP report prepared as per the **Annexure-I** should be submitted to the State Pollution Control Board Committee concerned for conducting Public Consultation as per the provisions stipulated in EIA Notification of 2006. Public Hearing which is a component of Public Consultation shall be held district wise at the site or in its closed proximity as prescribed in Appendix (IV) of EIA Notification, 2006. The draft EIA/EMP report is to be submitted to SPCB etc sufficiently before the expiry of the ToR validity so that necessary amendments in EIA/EMP can be undertaken based on public hearing and the same is submitted to MoEF &CC before expiry of validity.
- (e) All issues discussed in the Public Hearing/Consultations should be addressed and incorporated in the EIA/EMP Report. Final EIA/EMP report should be submitted to the Ministry for Environmental Clearance only after incorporating these issues before the expiry of validity of ToR.
- (f) The ToR will remain valid for a period of 4 years from the date of issue of this letter for submission of EIA/EMP report along with public consultation. The ToR will stand lapsed on completion of 4 years time in case final EIA/EMP is not submitted and the validity is not extended.
- (g) In case of any change in the Scope of the Project such as capacity enhancement, shifting of dam site, change in submergence, etc., fresh scoping clearance has to be obtained by the project proponent.

- (h) Approval of Forest Clearance Stage-I for the forest area involved in the project is one of the mandatory pre-requisites for grant of Environmental Clearance.
- (i) The PP shall submit a copy of TEC of the DPR along with EIA/EMP report.
- (j) Information pertaining to Corporate Environmental Responsibility and Environmental Policy shall be provided in the EIA/EMP Report as per this Ministry's OM No.J-11013/25/2014-IA-I dated 11.8.2014 (**Reference as Annexure-II**).
- (k) The EIA/EMP Report must contain an Index showing details of compliance of all ToR conditions. The Index will comprise of page no., etc., vide which compliance of a specific ToR is available. It may be noted that without this index, EIA/EMP report will not be accepted.
- (l) In case the validity is to be extended, necessary application is to be submitted to Regulatory Authority before expiry of validity period together with an updated form -1 based on proper justification.

This has approval of the Competent Authority.

Yours faithfully,


(Dr S. Kerketta)
Director

Copy to:

1. The Secretary, Ministry of Water Resources, RD & GR, Shram Shakti, Bhawan, Rafi Marg, New Delhi - 110 001.
2. The Principal Secretary (Water Resources Department), Government of Madhya Pradesh, Secretariat, Bhopal -462 016.
3. The Secretary, Department of Environment, Government of Madhya Pradesh, Secretariat, Bhopal - 462 016.
4. The Chief Engineer, Project Appraisal Directorate, Central Water Commission, Sewa Bhawan, R.K. Puram, New Delhi-110 066.
5. The Additional PCCF (Central), Regional Office (WR), Ministry of Environment, Forest & Climate Change, Kendriya Paryavaran Bhavan, Link Road No-3, Ravi Shanker Nager, Bhopal - 462 016.
6. The Member Secretary, Madhya Pradesh State Pollution Control Board, Paryavaran Parisar, E-5, Arera Colony, Bhopal - 462 016.
7. Guard file.


(Dr. S. Kerketta)
Director

TERMS OF REFERENCE FOR CONDUCTING ENVIRONMENT IMPACT ASSESSMENT STUDY FOR 'A' CATEGORY RIVER VALLEY PROJECTS AND INFORMATION TO BE INCLUDED IN EIA/EMP REPORT

(1) Scope of EIA Studies

The EIA Report should identify the relevant environmental concerns and focus on potential impacts that may change due to the construction of proposed project. Based on the baseline data collected for three (3) seasons (Pre-monsoon, Monsoon and winter seasons), the status of the existing environment in the area and capacity to bear the impact on this should be analyzed. Based on this analysis, the mitigation measures for minimizing the impact shall be suggested in the EIA/EMP study.

(2) Details of the Project and Site

- General introduction about the proposed project.
- Details of project and site giving L.-sections of all U/S and D/S projects of River with all relevant maps and figures. Connect such information as to establish the total length of interference of Natural River and the committed unrestricted release from the site of diversion into the main river.
- A map of boundary of the project site giving details of protected areas in the vicinity of project location.
- Location details on a map of the project area with contours indicating main project features. The project layout shall be superimposed on a contour map of ground elevation showing main project features (viz, location of dam, Head works, main canal, branch canals, quarrying etc.) shall be depicted in a scaled map.
- Layout details and map of the project along with contours with project components clearly marked with proper scale maps of at least a 1:50,000 scale and printed at least on A3 scale for clarity.
- Existence of National Park, Sanctuary, Biosphere Reserve etc. in the study area, if any, should be detailed and presented on a map with distinct distances from the project components.
- Drainage pattern and map of the river catchment up to the proposed project site.
- Delineation of critically degraded areas in the directly draining catchment on the basis of silt Yield Index as per the methodology of All India Soil and Land Use Survey of India.
- Soil characteristics and map of the project area.
- Geological and seismo-tectonic details and maps of the area surrounding the proposed project site showing location of dam site and canal site.
- Remote Sensing studies, interpretation of satellite imagery, topographic sheets along with ground verification shall be used to develop the land use/land cover pattern of the study using overlaying mapping techniques viz. Geographic Information System (GIS), False Color composite (FCC) generated from satellite data of project area.
- Land details including forests, private and other land.

- Demarcation of snow fed and rain fed areas for a realistic estimate of the water availability.

(3) Description of Environment and Baseline Data

To know the present status of environment in the area, baseline data with respect to environmental components air, water, noise, soil, land and biology & biodiversity (flora & fauna), wildlife, socio-economic status etc. should be collected with 10 km radius of the main components of the project/site i.e. dam site and power house site. The air quality and noise are to be monitored at such locations which are environmentally & ecologically more sensitive in the study area. The baseline data should be collected for 3 seasons (Pre-Monsoon, Monsoon and Post Monsoon seasons). Flora/fauna in the catchment area and command area should be documented. The study area should comprise of the following:

- Catchment area up-to the darn site.
- Submergence Area
- Project area or the direct impact area should comprise of area falling within 10 km radius from periphery of reservoir, land coming under submergence and area downstream of dam

(4) Details of the Methodology

- The methodology followed for collection of base line data along with details of number of samples and their locations in the map should be included.
- Study area should be demarcated properly on the appropriate scale map.
- Sampling sites should be depicted on map for each parameter with proper legends.
- For forest classification, Champion and Seth (1968) classification should be followed.

(5) Methodology for collection of Biodiversity Data

- The number of sampling locations should be adequate to get a reasonable idea of the diversity and other attributes of flora and fauna. The guiding principles should be the size of the study area (larger area should have larger number of sampling locations) and inherent diversity at the location, as known from secondary sources (e.g. eastern Himalayan and low altitude sites should have a larger number of sampling locations owing to higher diversity).
- The entire area should be divided in grids of 5km X 5km preferably on a GIS domain. There after 25% of the grids should be randomly selected for sampling of which half should be in the directly affected area (grids including project components such as reservoir, clam, powerhouse, tunnel, canal etc.) and the remaining in the rest of the area (areas of influence in 10 km radius from project components). At such chosen location, the size and number of sampling units (e.g. quadrats in case of flora/transects in case of fauna) must be decided by species area curves and the details of the same (graphs and cumulative number of species in a tabulated form) should be provided in the EIA report. Some of the grids on the edges may not be completely overlapping with the study area boundaries. However these should be counted and considered for selecting 25% of the grids. The number of grids to be surveyed may come out as a

decimal number (i.e. it has an integral and a fractional part) which should be rounded to the next whole number.

- The conventional sampling is likely to miss the presence of rare, endangered and threatened (R.E.T.) species since they often occur in low densities and in case of faunal species are usually secretive in behavior. Reaching the conclusion about the absence of such species in the study area based on such methodology is misleading. It is very important to document the status of such species owing to their high conservation value. Hence likely presence of such species should be ascertained from secondary sources by a proper literature survey for the said area including referring to field guides which are now available for many taxonomic groups in India. Even literature from studies/surveys in the larger landscapes which include the study area for the concerned project must be referred to since most species from adjoining catchments is likely to be present in the catchments in question. In fact such literature from the entire state *can* be referred to. Once a listing of possible R.E.T. species from the said area is developed, species specific methodologies should be adopted to ascertain their presence in the study area which would be far more conclusive as compared to the conventional sampling. If the need be, modern methods like camera trapping can be resorted to, particularly for areas in the eastern Himalayas and for secretive/nocturnal species. A detailed listing of the literature referred to, for developing lists of R.E.T. species should be provided in the EIA reports.
- The R.E.T. species referred to in this point should include species listed in Schedule I and II of Wildlife (Protection) Act, 1972 and those listed in the red data books (BSI, ZSI and IUCN).

(6) Components of the EIA Study

Various aspects to be studied and provided in the EIA/EMP report are as follows:

A. Physical and Chemical Environment

(i) Geographical, Geological & Geophysical Aspects and Seismo-Tectonics:

- Physical geography, Topography, Regional Geological aspects and structure of the Catchment.
- Tectonics, seismicity and history of past earthquakes in the area. A site specific study of the earthquake parameters will be done. The results of the site specific earthquake design shall be sent for approval of the NCSDP (National committee of Seismic Design Parameters, Central water commission, New Delhi, for large dams.
- Landslide zone or area prone to landslide existing in the study area should be examined.
- Presence of important economic mineral deposit, if any.
- Justification for location & execution of the project in relation to structural components (dam height).
- Impact of project on geological environment.

(ii) Meteorology, Air and Noise:

- Meteorology (viz. Temperature, Relative humidity, wind speed/direction etc.) to be collected from nearest IMD station.

- Ambient Air Quality with parameters viz. suspended particulate matter (SPM), respirable suspended particulate matter (RSPM) i.e. suspended particulate matter <10 microns, sulphur dioxide (SO₂) and oxide of Nitrogen (NO_x) in the study area at 6 locations.
- Existing noise levels and traffic density in the study area at 6 locations.

(iii) Soil Characteristics

- Soil classification, physical parameters (viz., texture, porosity, bulk density and water holding capacity) and chemical parameters (viz. pH, electrical conductivity, magnesium, calcium, total alkalinity, chlorides, sodium, potassium, organic carbon, available potassium, available phosphorus, SAR, nitrogen and salinity, etc.) (6 locations).

(iv) Remote sensing and GIS Studies

- Generation of thematic maps viz., slope map, drainage map, soil map, land use and land cover map, etc. Based on these, thematic maps, an erosion intensity map should be prepared.
- New configuration map to be given in the EIA Report.

(v) Water Quality

- History of the ground water table fluctuation in the study area.
- Water quality for both surface water and ground water for (i) Physical parameters (pH, temperature, electrical conductivity, TSS); (ii) Chemical parameters (Alkalinity, Hardness, BOD, COD, NO₂, PO₄, Cl, SO₄, Na, K, -Ca, Mg, Silica, Oil & Grease, phenolic compounds, residual sodium carbonate); (iii) Bacteriological parameter (MPN, Total conform) and (iv) Heavy Metals (Pb, As, Fig, Cd, Cr-6, total Cr, Cu, Zn, Fe) (6 locations).
- Delineation of sub and micro-watersheds, their locations and extent based on the All India Soil and Land Use Survey of India (AISLUS), Department of Agriculture, Government of India. Erosion levels in each micro-watershed and prioritization of micro-watershed through silt yield index (SYI) method of AISLUS

B. Water Environment and Hydrology

- Hydro-Meteorology of the project viz. precipitation (snowfall, rainfall), temperature, relative humidity, etc. Hydro-meteorological studies in the catchment area should be established along-with real time telemetry and data acquisition system for inflows monitoring.
- Run off, discharge, water availability for the project, etc.
- Basin characteristics.
- Catastrophic events like cloud bursts and flash floods, if any, should be documented.
- For estimation of Sedimentation Rate, direct sampling of river flow is to be done during the EIA study. The study should be conducted for minimum 1 year actual silt flow rate to be expressed in ha-in km² year-1.
- Sedimentation data available with CWC may be used to find out the loss in storage over the years.
- Set-up G&D monitoring station in the catchment area for collecting data during the investigation.
- Flow series, 10 daily with 90%, 75%, and 50% dependable years discharges.

- A table of 10 daily water discharge in 75% dependable year showing the intercepted discharge at the barrage, diversion for irrigation, environmental and other flow releases downstream of the barrage shall be included in the EIA report.
- Environmental flow release would be 20% of average of four consecutive months of 90% dependable year in lean season, 25% in non-monsoon & non-lean season and 30% in monsoon to be followed corresponding to 90% dependable year. A site specific study on minimum environment flow should be carried out
- Hydrological studies/data as approved by CWC shall be utilized in the preparation of ETA/EMP report. Actual hydrological annual yield may also be given in the report.
- A minimum of 1 km distance from the tip of the reservoir to the tail race tunnel should be maintained between upstream and downstream projects.

C Biological Environment

Besides primary studies, review of secondary data/literature published for project area on flora & fauna including RET species shall be reported in EIA/EMP report

(i) Flora

- Characterization of forest types (as per Champion and Seth method) in the study area and extent of each forest type as per the Forest Working Plan.
- Documentation of all plant species i.e. Angiosperm, Gymnosperm, Pteridophytes, Bryophytes (all groups). All species list should be provided.
- General vegetation profile and floral diversity covering all groups of flora including lichens and orchids. A species wise list may be provided.
- Assessment of plant species with respect to dominance, density, frequency, abundance, diversity index, similarity index, importance value index (WI), Shannon Weiner index etc. of the species to be provided. Methodology used for calculating various diversity indices along with details of locations of quadrates, size of quadrates etc. to be reported within the study area in different ecosystems.
- Existence of National park, Sanctuary, Biosphere Reserve etc in the study area, if any, should be detailed.
- Economically important species like medicinal plants, timber, fuel wood etc.
- Details of endemic species found in the project area.
- Flora under RET categories should be documented using International Union for the Conservation of Nature and Natural Resources (IUCN) criteria and Botanical Survey of India's Red Data list along-with economic significance. Species diversity curve for RET species should be given.
- Cropping pattern and Horticultural Practices in the study area.
- Biodiversity study shall be carried out by associating a reputed organization as per the list of such institutes is available on MoEF & CC website.

(ii) Fauna:

- Fauna study and inventorisation should be carried out for all groups of animals in the study area. Their present status along with Schedule of the species.
- Information (authenticated) on Avi-fauna and wildlife in the study area.
- Status of avifauna their resident/ migratory/ passage migrants etc.
- Documentation of butterflies, if any, found in the area.

- Details of endemic species found in the project area.
- RET species-voucher specimens should be collected along-with GPS readings to facilitate rehabilitation. RET faunal species to be classified as per IUCN Red Data list and as per different schedule of Indian Wildlife (Protection) Act, 1972.
- Existence of barriers and corridors, if any, for wild animals.
- Compensatory afforestation to compensate the green belt area that will be removed, if any, as part of the proposed project development and loss of biodiversity.
- Collection of primary data on agricultural activity, crop and their productivity and irrigation facilities components.

D Aquatic Ecology

- Documentation of aquatic fauna like macro-invertebrates, zooplankton, phytoplankton, benthos etc.
- Fish and fisheries, their migration and breeding grounds.
- Fish diversity composition and maximum length & weight of the measured populations to be studied for estimation of environmental flow.
- Conservation status of aquatic fauna.
- Sampling for aquatic ecology and fisheries must be conducted during the 3 seasons – Pre-monsoon (summer), monsoon and winter. Sizes (length & weight) of important fish species need to be collected and breeding and feeding grounds should be identified along the project site or in vicinity.

E Socio-Economic

- Collection of baseline data on human settlements, health status of the community and existing infrastructure facilities for social welfare including sources of livelihood, job opportunities and safety and security of workers and surroundings population.
- Collection of information with respect to social awareness about the developmental activity in the area and social welfare measures existing and proposed by project proponent.
- Collection of information on sensitive habitat of historical, cultural and religious and ecological importance.
- The socio-economic survey/ profile within 10 km of the study area for demographic profile; Economic Structure; Developmental Profile; Agricultural Practices; Infrastructure, education facilities; health and sanitation facilities; available communication network etc.
- Documentation of demographic, Ethnographic, Economic Structure and development profile of the area.
- Information on Agricultural Practices, Cultural and aesthetic sites, Infrastructure facilities etc.
- Information on the dependence of the local people on minor forest produce and their cattle grazing rights in the forest land.
- List of all the Project Affected Families with their name, age, educational qualification, family size, sex, religion, caste, sources of income, land & house holdings, other properties, occupation, source of income, house/land to be acquired for the project and house/land left with the family, any other property, possession of cattle, type of house etc.
- In addition to socio-economic aspects of the study area, a separate chapter on socio-cultural aspects based upon study on Ethnography of the area should be provided.

(7) Impact Prediction and Mitigation Measures

The adverse impact due to the proposed project should be assessed and effective mitigation steps to abate these impacts should be described,

(i) Air Environment

- Changes in ambient and ground level concentrations due to total emissions from point, line and area sources.
- Effect on soil, material, vegetation and human health.
- Impact of emissions from DG set used for power during the construction, if any, on air environment.
- Pollution due to fuel combustion in equipment and vehicles
- Fugitive emissions from various source

(ii) Water Environment

- Changes in surface and ground water quality
- Steps to develop pisci-culture and recreational facilities
- Changes in hydraulic regime and downstream flow.
- Water pollution due to disposal of sewage
- Water pollution from labour colonies/ camps and washing equipment.

(iii) Land Environment

- Adverse impact on land stability, catchment of soil erosion, reservoir sedimentation and spring flow (if any) (a) due to considerable road construction / widening activity (b) interference of reservoir with the inflowing stream (c) blasting for commissioning of HRT, TRT and some other structures.
- Changes in land use / land cover and drainage pattern
- Immigration of labour population
- Quarrying operation and muck disposal
- Changes in land quality including effects of waste disposal
- River bank and their stability
- Impact due to submergence.

(iv) Biological Environment

- Impact on forests, flora, fauna including wildlife, migratory avi-fauna, rare and endangered species, medicinal plants etc.
- Pressure on existing natural resources
- Deforestation and disturbance to wildlife, habitat fragmentation and wild animal's migratory corridors
- Compensatory afforestation-identification of suitable native tree species for compensatory afforestation and green belt.
- Impact on fish migration and habitat degradation due to decreased flow of water
- Impact on breeding and nesting grounds of animals and fish.

(v) Socio-economic aspects

- Impact on local community including demographic profile.
- Impact on socio-economic status
- Impact on economic status.
- Impact on human health due to water / vector borne disease

- Impact on increase traffic
- Impact on Holy Places and Tourism
- Impacts of blasting activity during project construction which generally destabilize the land mass and leads to landslides, damage to properties and drying up of natural springs and cause noise population will be studies. Proper record shall be maintained of the baseline information in the post project period.
- Positive and negative impacts likely to be accrued due to the project are listed.

(8) Environmental Management Plans

- **Catchment Area Treatment (CAT) Plan** should be prepared micro-watershed wise. Identification of free draining/ directly draining catchment based upon Remote Sensing and. Geographical Information System (GIS) methodology and Sediment Yield Index (SYI) method of SLUSOI coupled with ground survey. Areas or watersheds falling under 'very severe' and 'severe' erosion categories are required to be treated. Both biological as well as engineering measures should be proposed in consultation with State Forest Department. Year-wise schedule of work and monetary allocation should be provided. Mitigation measures to check shifting cultivation in the catchment area with provision for alternative and better agricultural practices should be included.
- **Command Area Development (CAD) Plan** giving details of implementation schedule with a sample CAD plan.
- **Compensatory Afforestation** shall be prepared by the State Forest Department in lieu of the forest land proposed to be diverted for construction of the project as per the Forest (Conservation) Act, 1980. Choice of plants for afforestation should include native and RET species, if any.
- **Biodiversity and Wildlife Conservation and Management Plan** for the conservation and preservation of rare, endangered or endemic floral/ faunal species or some National Park/Sanctuary/ Biosphere Reserve or other protected area is going to get affected directly or indirectly by construction of the project, then suitable conservation measures should be prepared in consultation with the State Forest Department.
- **Resettlement and Rehabilitation (R&R) Plan** need to be prepared with consultation of the project affected families and the State Government; Detailed budgetary estimates are to be provided. Resettlements site should be identified. The plan will also incorporate community development strategies. *Land acquisition for the project whose land is to be acquired should be suitably compensated in accordance with the law of the land and prevailing guidelines. R&R Plan is to be formulated as per new Act, 2013 which came into force w.e.f. 1.1.2014.*
- **Green Belt Development Plan** along the periphery of the reservoir, approach roads around the colonies and other project components, local plant species must be suggested with physical and financial details. Local plant species suitable for greenbelt should be selected.
- **Fisheries Conservation and Management Plan** – Fish fauna inhabiting the affected stretch of river, a specific fisheries management plan should be prepared for river and reservoir. If any migratory fish species is getting affected then the migratory routes, time/season of upstream and downstream migration, spawning grounds etc will be discussed in details.

- **Reservoir Rim Treatment Plan** for stabilization of land slide/ land slip zones, if any, around the reservoir periphery is to be prepared based on detailed survey of geology of the reservoir rim area. Suitable engineering and biological measures for treatment of identified slip zones to be suggested with physical and financial schedule.
- **Muck Disposal Plan** suitable sites for dumping of excavated materials should be identified in consultation with State Pollution Control Board and State Forest Department. All muck disposal sites should be minimum 30 m away from the HFL of river. Plan for rehabilitation of muck disposal sites should also be given. The L-section/cross section of muck disposal sites and approach roads should be given. The plan shall have physical and financial details of the measures proposed.
- **Plan for Restoration of quarry sites** and landscaping of colony areas, working areas, roads etc. Details of the coarse/fine aggregate/clay etc. required for construction of the project and the rock/clay quarries/river shoal sites identified for the project should be discussed along-with the engineering and Biological measures proposed for their restoration with physical and financial details.
- **Study of Design Earthquake Parameters:** A site specific study of earthquake parameters should be done. Results of the site specific earthquake design parameters should be approved by National Committee of Seismic Design Parameters, Central Water commission (NCSDP), New Delhi.
- **Dam Break Analysis and Disaster Management Plan** The outputs of dam break model should be illustrated with appropriate graphs and maps clearly bringing out the impact of Dam Break scenario. The action plan will include Emergency Action and Management plan including measures like preventive action notification, warning procedure and action plan for co-ordination with various authorities.
- **Water, Air and Noise Management Plans** to be implemented during construction and post-construction periods.
- Mitigation measures due to blasting on the structures in the vicinity
- **Groundwater management plan**
- **Public Health Delivery Plan** including the provisions of drinking water supply for local community.
- **Sanitation and Solid waste management plan** for domestic waste from colonies and labour camps etc.
- **Local Area Development Plan** to be formulated in consultation with the Revenue Officials and. Village Panchayats. Local skill development schemes should be given. Details of various activities undertaken along with its financial outlay should be provided.
- Environmental safeguards during construction activities including Road Construction.
- **Energy Conservation Measures**
- **Environmental Monitoring Programme** with physical & financial details covering all the aspects of EMP. A summary of cost estimates for all the plans, cost of implementing all the Environmental Management Plans.

(9) In the EMP, please include a sample CAD plan for a distributary outlet command. Such a plan is to show the alignment of irrigation and drainage channels. The components of the OFD works to be undertaken may be clearly mentioned along with a time schedule for their completion vis-&-vis the progress of irrigation development.

(10) Additional TOR

- i. A certificate will be submitted from CWC that utilization of water by this project will not affect the viability of the Ken-Betwa Link project, within six months from the date of grant of ToR.
- ii. Provision of e-flow as per standard ToR should be ensured for the sustenance of aquatic life in the downstream river.
- iii. Land acquired for the project shall be suitably compensated in accordance with the law of the land with the prevailing guidelines.
- iv. Total power requirement to be provided and its firm linkage to be supported with documents.
- v. Proof of application for diversion of forestland for non-forest purpose will be submitted to the Ministry within one month.
- vi. Detailed information on species composition in particular to fish species from any previous study/literature should be included.
- vii. A detailed irrigation management plan should be worked out so that at least 10% of the CCA would be covered by micro irrigation scheme.
- viii. Resettlement & Rehabilitation Plan – should be implemented in collaboration with the State Govt. as approved by the State Govt.
- ix. Energy Conservation Plan is to be implemented as envisaged in the EIA / EMP report.
- x. Skill mapping be undertaken for the youths of the affected project area and based on the skill mapping, necessary trainings to the youths be provided for their appropriate engagements in the Project.
- xi. Solid waste management should be planned in details. Land filling of plastic waste shall be avoided and instead proposal for various uses may be proposed in the revised EIA/EMP report.
- xii. The possibility of conjunctive irrigation may also be considered in the project right from the formulation stage. A detailed irrigation management plan should be worked out so that mixed irrigation (lift and flow) scheme be taken up to reduce power consumption with water account.

No.J-11013/25/2014-IA.I
Government of India
Ministry of Environment & Forests

Indira Paryavarān Bhawan,
Jor Bagh Road, Ali Ganj,
New Delhi-11003

Dated the 11th August, 2014

OFFICE MEMORANDUM

Subject: Environment sustainability and CSR related issues-guidelines

The Environment Impact Assessment (EIA) Notification 2006, issued under the Environment (Protection) Act 1986, as amended from time to time, prescribes the process for granting prior environment clearance (EC) in respect of certain development projects / activities listed out in the Schedule to the notification.

2. Sustainable development has three components, viz., social, economic and environmental. All the three components are closely inter-related and mutually re-enforcing. Considering this, the general structure of EIA document, under Appendix-III to the notification, prescribes inter-alia public consultation, social impact assessment and R&R action plan besides environment management plan (EMP).

3. It is noticed that while there is clarity on the guidelines on EMP, as regards sustainability related issues, different formulations have been prescribed in the conditions in EC letters for the projects under different sectors listed out in Schedule to the EIA Notification, 2006. Thus, there is a need to issue guidelines on the subject.

4. Section 135 of the Companies Act, 2013 deals with corporate social responsibility and Schedule-VII of the Act lists out the activities which may be included by companies in their CSR Policies. The activities relating to "ensuring environmental sustainability", are listed in this schedule. Further, Ministry of Corporate Affairs has also notified the Companies (Corporate Social Responsibility Policy) Rules, 2014.

5. The concept of CSR as provided for in the Companies Act, 2013 and covered under the Companies (Corporate Social Responsibility Policy) Rules, 2014 comes into effect only in case of companies having operating projects and making net profit as also subject to other stipulations contained in the aforesaid Act and Rules. The environment clearance given to a project may involve a situation where the concerned company is yet to make any net profit and / or is not covered under the purview of the aforesaid Act and Rules. Obviously, in such cases, the provisions of aforesaid Act and Rules will not apply.

6. The matter has been further examined in the Ministry of Environment Forests & Climate Change (MoEF&CC). It has been decided that in respect of valid concerns expressed during the public consultations, mitigation issues emerging from social impact assessment and R&R Plan, the project proponents, in EIA / EMP report will clearly state the activities and costs involved (both capital as well as recurring costs), the phasing of these activities along with costs and also as to how such expenditure would be met. The costs and the timelines for various activities as prepared by the project proponent may be looked into by the concerned Expert Appraisal Committee (EAC) for their reasonableness and appropriate recommendations in the matter reflected in the minutes of EAC meeting. In case these activities (or some of these activities) are proposed to be covered by the project proponent under CSR activities, the project proponent should commit providing for the same. In either case, the position regarding the agreed activities, their funding mechanism and the phasing should be clearly reflected in the EC letter.

7. The obligation on part of the project proponents, as mentioned in para 5 above, should be stated at the TOR stage itself as one of the TORs for the project.

8. All Sectoral EACs will follow the aforesaid procedure on environment sustainability and CSR related issues while appraising the projects and do away with the existing practices being followed on the subject, if any.

9. These guidelines will apply mutatis mutandis to SEACs/SEIAAs.

10. This issues with the approval of the Component Authority.

(Dr. Satish C. Garkoti)
Scientist 'F'

To

1. All the Officers of IA Division
2. Chairpersons / Member Secretaries of all the SEIAAs / SEACs
3. Chairman, CPCB
4. Chairpersons / Member Secretaries of all SPCBs / UTPCCs

Copy to:

1. PS to MEF
2. PPS to Secretary (EF&CC)
3. PPS to AS(SS)
4. PPS to JS(AT)
5. Website of MoEF&CC
6. Guard File

कार्यालय परियोजना संचालक, बीना पी.एम.यू. जल संसाधन विभाग
सागर (म.प्र.)

वचन पत्र

प्रस्ताव में भारत सरकार की शर्त "The State Government shall ensure that the forest land located between FRL and the FRL-4 meters may be afforested by planting appropriate indigenous tree species " मान्य है। म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



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सागर (म.प्र.)

वचन पत्र

प्रस्ताव में भारत सरकार की शर्त "The User Agency shall undertake afforestation along the periphery of the reservoir " मान्य है । म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



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सागर (म.प्र.)

वचन पत्र

प्रस्ताव में भारत सरकार की शर्त "The User agency shall provide free water for the forestry related projects " मान्य है । म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



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सागर (म.प्र.)

वचन पत्र

प्रस्ताव में भारत सरकार की शर्त "Layout plan of the proposal shall not be changed without the prior approval of the Central Government " मान्य है । म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



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सागर (म.प्र.)

वचन

प्रस्ताव में भारत सरकार की शर्त "No construction of buildings / labour camp/huts shall be allowed on the forest land " मान्य है । म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



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सागर (म.प्र.)

वचन

प्रस्ताव में भारत सरकार की शर्त "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" मान्य है। म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



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सागर (म.प्र.)

वचन

प्रस्ताव में भारत सरकार की शर्त "The State Government ensure that the user agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work. The said R&R Plan will be monitored by the State Government / Regional Office of MoEF & CC along with indicators for monitoring and expected observable milestones" मान्य है। म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



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सागर (म.प्र.)

वचन पत्र

प्रस्ताव में भारत सरकार की शर्त "User agency in consultation with the State Forest Department shall create and maintain alternate habitat/home for the avifauna, whose nesting tress are to be cleared in this project. Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project" मान्य है। म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



परियोजना प्रबंधक

बीना (पी.एम.यू.) जल संसाधन विभाग
सागर (म.प्र.)

FORM - II
(For projects other than linear projects)
Government of Madhya Pradesh
Office of the District Collector Sagar

No. 1459....

Dated... 11.11.2011

TO WHOMSOEVER IT MAY CONCERN

In compliance of the Ministry of Environment and Forests (MoEF), Government of India's letter No. 11-9/98-FC (pt.) dated 3rd August 2009 where in the MoEF issued guidelines on submission of evidence for having initiated and completed the process of settlement of rights 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, it is certified that 79.912 hectares of forest land proposed to be diverted in favour of Kaith Madyam Priyojna (purpose for diversion of forest land) in Sagar District falls within jurisdiction of Gram panchayat Bansiya & Narayanpur (s) in Sagar tehsils.

It is further certified that:

- (a) The complete process for identification and settlement of rights under FRA has been carried out for the entire 79.912 hectares of forest area proposed for diversion. A copy of records of all consultations and meetings of the Forest Rights Committee(S), Gram Sabha(S), Sub-Division Level Committee(S) and the District level Committee are enclosed as annexure-I to annexure-6
- (b) The proposal for such diversion (with full details of the project and its implications, in vernacular/local language) have been placed before each concerned Gram sabha of forest-dwellers, who are eligible under the FRA.
- (c) The each concerned Gram sabha (s) has certified that all formalities /processes under the FRA have been carried out and the they have given their consent to proposed division and compensation and ameliorative measures, if any having understood the purposed and details of proposed division, A copy of certificate issued by the Gram Sabha of Bansiya & Naryanpur villages (s) in enclosed as Annexure-I to annexure-6
- (d) The discussion and decision of such proposal had taken place only when there was a quorum of minimum 50% of member of Grama sabha present;
- (e) The diversion of forest land for facilities managed by the Government as required under section 3 (2) of the FRA have been completed and Gram Sabhas have given their consent to it;
- (f) The right of primitive Tribal Ground and Pre Agricultural Communities, where applicable have been specifically safeguarded as per section 3 (1) (e) of the FRA.

Encl.: As above.

1459
(A.K. Singh)
Collector
Sagar (M.P.)

कार्यालय परियोजना संचालक, बीना पी.एम.यू. जल संसाधन विभाग
सागर (म.प्र.)

वचन पत्र

प्रस्ताव में भारत सरकार की शर्त "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" मान्य है। म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



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सागर (म.प्र.)

वचन पत्र

प्रस्ताव में भारत सरकार की शर्त "Boundary of the forest land proposed to be diverted shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing, distance from pillar to pillar and GPS co-ordinates" मान्य है। म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



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सागर (म.प्र.)

वचन पत्र

प्रस्ताव में भारत सरकार की शर्त "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" मान्य है। म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



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वचन पत्र

प्रस्ताव में भारत सरकार की शर्त "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" मान्य है। म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



परियोजना प्रबंधक

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कार्यालय परियोजना संचालक, बीना पी.एम.यू. जल संसाधन विभाग
सागर (म.प्र.)

वचन पत्र

प्रस्ताव में भारत सरकार की शर्त "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" मान्य है । म.प्र. शासन जल संसाधन विभाग द्वारा इसका पालन करने का वचन पत्र प्रस्तुत है।



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