

Western Railway



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No. BRC/W/115/27 (Forest)

Date: 23.01.2025

To,  
Additional Principal Chief Conservator of Forest [Land Management]  
Van Bhavan,  
Madhya Pradesh  
Bhopal - 462003

[Kind attention: H. S. Mohanta]

**Sub:** Proposal for diversion of forest land 244.039Hec. for construction of New Railway Broad Gauge line between Chhotaudepur to Dhar. (Proposal No. FP/MPRAIL/154962/2022)

**Ref:** 1. Your letter number क्रमांक/एफ-5/1259/2023/10-11/3586, भोपाल, दिनांक 9-7-24  
2. Letter of Government of India Ministry of Environment, Forest and Climate Change, New Delhi, dated 08.07.2024

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Sir,  
Apropos above, in respect of observations of MOEF letter on dated 08.07.2024 the para wise remarks of this office are as under.

S. No.	OBSERVATIONS	COMPLIENCE
1	Legal status of the diverted forest land shall remain unchanged.	Noted.
2	The penalty for violation shall be five times the NPV for the area used in violation plus 12% simple interest from the date of raising of such demand till the deposit is made.	This item has already been complied in Sept. 2024. Railway has already deposited a sum total of Rs. 25,52,85,723/- in Madhya Pradesh CAMPA Fund Account No. 1507659154962996 on 18.09.2024 through RTGS against e-challan no. 59154962996, dated 03.09.2024, generated by APCCF/L&M/Bhopal, <b>which had included a penal amount of Rs. 2,15,50,050/- towards penalty for violation</b> , as per the demand letter of DFO/Alirajpur and a sum total of <b>Rs. 23,37,35,673/- towards payment of NPV</b> for the entire proposed diversion of 244.039 ha, as per the subject proposal, which is includes diversion of

		<p>237.385 Ha reserved forest land in the jurisdiction of DFO/Dhar and 6.654 Ha under DFO/Alirajpur.</p> <p>In supporting documentary evidence of above, a copy of <b>printout of the statement of "Funds to be deposited in Govt. Exchequer"</b> as taken from "Parivesh Portal" in connection with subject proposal FP/MP/RAIL/154962/2022 and in specific reference of aforesaid challan is submitted here with as <b>Annexure-A</b>.</p>
3	The state shall initiate action under section 3A and /or 3B of van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as may be applicable for violation of the provisions of the said Adhiniyam against such person or authority or organization, prima-facie found responsible for the violation.	Compliance of this item pertains to MP State Forest Department.
4	As per the provisions contained in the Van (sanrakshan Evam Samvardhan) Rules, 2003, the compensatory Afforestation cannot be allowed on degraded forest land in the instant case. The state shall therefore identify alternative land for CA as per the provisions of extant Rules. The said land shall be transferred and mutated in the name of the forest department and notified as protected forest under the provisions of Indian Forest Act, 1927 or the State specific laws.	<p><b>This item has since been complied with.</b></p> <p>In terms of MOEF's letter, dated 17.12.2024 and subsequent demand letters, received from DFO/Alirajpur and DFO/Dhar, a sum total of <b>Rs. 23,69,80,275/-</b> towards "<b>Compensatory Afforestation</b>", which includes Rs. 86,58,181/- under DFO/Alirajpur and Rs. 22,83,22,094/- under DFO/Dhar for the total area of 494 Ha (<b>i.e. 2 times the total area of 244.039 Ha</b>), has since been deposited in Madhya Pradesh CAMPA Funds account no. 1507659154962058, on 15.01.2025 through RTGS.</p> <p>In supporting documentary evidence of above, a copy of <b>printout of the statement of "Funds to be deposited in Govt. Exchequer"</b> as taken from "Parivesh Portal" in connection with subject proposal FP/MP/RAIL/154962/2022 and in specific reference of aforesaid challan is submitted here with as <b>Annexure-A</b></p> <p>In addition to above, <b>demanded supervision charges @10% on CA cost has also been deposited online in MP Treasury Challans (Annexure-B).</b></p>
5	Detailed Animal Passage and mitigation plan shall be prepared in consultation with the Chief wildlife warden and the same shall be implemented at the cost of the user agency.	There is no such wild life requiring any animal passage/mitigation plan. However, if MP State Forest Department advises some requirement in consultation with Chief Wildlife Warden, the same will be provided by Railway at it's cost.
6	The state shall submit the detailed bifurcation of the area involved in the Railway Station and Railway line. A certificate that only 244.039 ha area is	There is only one railway station named "Jamaniya" in the forest land under the jurisdiction DFO/Dhar, which comes under compartment number 81 & 82 of Tanda forest range, and the required area for Jamaniya station is 18.311 ha and

	required for the project shall also be submitted.	the rest 225.728 ha area will be used for Railway line work.
7	The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.	This item has since been complied with as per details given in reply of item no. 4.
8	The User Agency shall transfer the funds towards the cost of Net Present Value (NPV) of the forest land being diverted under this proposal in accordance with the guidelines in the matter.	This item has already been complied with in entirety as per details given in reply of item no. 2 above, read with documentary evidence at <b>Annexure-A.</b>
9	At the time of payment of the Net Present Value (NPV) at the present 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.	Yes, Railway agree to pay as per the final decision of the Hon'ble Supreme Court of India.
10	The State Government shall ensure controlled speed limit if the trains passing through the forest portion to enable the trains drivers to react to the sudden appearance of the wild animals on the track. As and when required speed of train shall be regulated in consultation with Chief Wildlife Warden of the State Government.	This item pertains to State Forest Department. Undertaking is given here with, that necessary speed restriction, as and when advised by State Government, will be imposed by Railway.
11	The designing of culverts/bridges. If any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.	Yes, Railway will build the bridges keeping this in mind, due to which there will be no hindrance in the flow of water or the movement of wild animals.
12	The reclamation of quarry, if any, should be done under the supervision of the State Forest Department. The quarry shall be reclaimed and afforested completely before the project is closed.	This items pertains to State Forest Department. However, no reclamation of any quarry is involved in this project.

13	The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.	Yes, Railway will provide retaining wall, toe wall and drainages as per requirement to make the slope stable.
14	The user agency, if required, will undertake comprehensive soil conservation measures in the area being diverted at the project cost in consultation with the state forest department. A scheme of the same may be submitted along with the compliance report.	Yes, Railway is agree to comprehensive soil conservation measures in the diverted area as per requirement and consultation of state forest department.
15	If required, provision for construction of sufficient underpasses for safe crossing of animal shall be made in consultation with Chief Wildlife Warden.	Yes, Railway is agree to construct more underpasses for safe crossing of animal as per requirement of Chief Wildlife Warden, also Railway is already proposed 149 number of bridges in diverted forest area for Stream line crossing, Nala Crossing, Road crossing and Balancing culvert which are also helpful for the passage of animal and the average distance between two bridges is 400m to 500m.
16	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	FRA certificate for Alirajpur district is attached, also it is undertaken that the Certificate against Schedule Tribe (ST) and other Traditional Forest Dwellers (OTFD) recognition of Forest Right Act, 2006, will be submitted on receipt of the same for Dhar district from the concerned District Magistrate & Collector in connection with "Proposal for diversion of forest land 237.385 ha Dhar Alirajpur Forest Division for construction of New Railway Broad Gauge line between Chhotaudepur to Dhar. Getting FRA Certificate from Collector Dhar is under progress.
17	The State Government shall upload the KML files of the area under diversion and the accepted area for raising compensatory afforestation in the E-green watch portal of FSI, before handing over forest land to the user agency.	Pertains to DFO office Alirajpur and Dhar.
18	All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal ( <a href="http://parivesh.nic.in/">http://parivesh.nic.in/</a> ); Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.	Yes, Railway has already deposited the requisite amounts in CAMPA account as per generated CHALAN through e-portal ( <a href="http://parivesh.nic.in/">http://parivesh.nic.in/</a> ). No other mode has been adopted.  Supervision charges @10% on Compensatory Afforestation Cost has also been deposited online in MP Treasury fund.
19	Forest land will be handed over only after required non-forest land in the project is obtained by the user agency.	This item is not applicable now. As per the MOEF's letter dated 17.12.2024 and demands of MP State Forest Department, requisite amount for two times of the area under diversion has since been deposited by Railway to MP CAMPA fund along with 10% supervision charges in MP Treasury Challan (Annexure-A & B).

20	The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.	Noted. Railway is agreed to deposit the cost of felling of trees in the State Forest Department.
21	The User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under strict supervision of the State Forest Department.	Noted.
22	The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.	Noted.
23	The R&R Plan shall be implemented 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 and implementation. 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.	Pertains to DFO office Alirajpur and Dhar.
24	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.	Environment Clearance is not required for this project, as this project does not impact the environment, public health or other protected areas. This project will provide rail link in between Vadodara and Indore which will improve the connectivity in between the cities in the golden quadrilateral and central India. This will also give locals people, living in the vicinity of this railway line, to visit nearby bigger cities and easily gain from the opportunities available in big cities.
25	The User Agency shall undertake afforestation along the periphery of the reservoir.	Railway has since paid the afforestation amount as per demand letter's received from State government through e-portal ( <a href="http://parivesh.nic.in/">http://parivesh.nic.in/</a> ). CA area is already verified by Dy.DG sir, MOEF on dated.12 <sup>th</sup> and 13 <sup>th</sup> September 2023.
26	No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the laborers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.	Noted.
27	The boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates.	Railway boundary post is already marked at site with its Chainage and GPS coordinates are verified and submit through ranger letter no. क्रमांक/मा.चि. /2023/316 टाण्डा,दिनांक :03/03/2023 and क्रमांक/480 सरदारपुर/दिनांक/9/3/23, again after completion of construction work, Railway will demarcate the

		land boundary in a proper manner as per GPS coordinate.
28	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.	Noted.
29	No damage to the flora and fauna of the adjoining area shall be caused.	Noted.
30	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Noted.
31	No additional or new path will be constructed inside the forest area for the execution of this project.	Noted.
32	The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.	Noted.
33	The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project.	Noted.
34	The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.	Pertains to DFO office Alirajpur and Dhar.
35	The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Integrated Regional Office and to this Ministry by the end of March every year regularly.	Noted.
36	The user agency shall comply all provisions of the all Acts, rules, regulations, guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.	Noted.
37	Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.	Noted.
38	Violation of any these conditions will amount to violation of Van	Noted.

	(Sanrakshan Evam Samvardhan) Adhinyam, 1980 and action would be taken as prescribed in para 1.16 of consolidated guidelines and clarifications issued under Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 as issued by this Ministry on dated 29.12.2023.	
39	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.niv.in/">https://parivesh.niv.in/</a> ).	Compliance report with all necessary attachment will be uploaded on e-portal ( <a href="https://parivesh.niv.in/">https://parivesh.niv.in/</a> ).

**It is requested to issue the Working Permission.**

**D.A as above.**

Your's sincerely,

*Ankit Kumar*  
23/01/25  
(ANKIT KUMAR)

**Dy. Chief Engineer (Construction)III,  
Western Railway, Vadodara-390 004**

**Copy to.**

1. DFO/Dhar for necessary action please.
2. DFO/Alirajpur for necessary action please.