



भारत सरकार / GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
एकीकृत क्षेत्रीय कार्यालय, भोपाल / INTEGRATED REGIONAL OFFICE, BHOPAL
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क्रमांक 6-एमपीबी 015/2022-बीएचओ/

दिनांक : 01/03/2023

प्रति,

प्रधान सचिव (वन)

मध्यप्रदेश शासन,

वल्लभ भवन, भोपाल ।

विषय: बुरहानपुर जिले में सुक्ता नवाड़ से झिरपांजरिया मार्ग उन्नयन हेतु 2.38 हेक्टेयर आरक्षित वनभूमि कार्यपालन यंत्री, लोक निर्माण विभाग, संभाग को उपयोग पर देने बाबत ।

Sir,

This refers to letter No. F-5/1126/2022/10-11/1418 dated 25/04/2022 even letter No. 2515 dated 18/07/2022 and even letter dated 3526 dated 14/10/2022 of PCCF(LM), and Nodal Officer, Govt. of Madhya Pradesh on the above mentioned subject seeking prior approval of the Ministry of Environment, Forest and Climate Change under section 2 of Forest (Conservation) Act, 1980.

After due consideration of the proposal of the State Government, the “in-principle approval” of Central Government, is hereby conveyed for diversion of 2.38 ha Reserved Forest land for widening of Suktanawad- Jhirpanjariya Road in favour of Executive Engineer, Public Works Department, Division in Burhanpur District of Madhya Pradesh, subject to the following conditions and stipulations:

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

- (1) The cost of compensatory afforestation on the CA land **2.38 ha non-forest land** at the prevailing wage rates as per compensatory afforestation scheme (including the cost of survey, demarcation and erection of permanent pillars etc. as required for securing the land against encroachment) shall be deposited in advance with the State Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
- (2) Compensatory afforestation shall be taken up by the Forest Department over **2.38 ha non-forest land at Khasra No. 251, 252, Village-Beed Raiyat, Tehsil-Nepanagar, District- Burhanpur** at the cost of the user agency. As far as possible, a mixture of local native species shall be planted and monoculture of any species, especially non-native species should be avoided.
- (3) The non-forest land shall be transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation.
- (4) The non-forest land which has been transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared as Reserved Forest or Protected Forest under the Indian Forest Act, 1927 or under the

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relevant Section(s) of the State Forest Act and the said notification shall be submitted before Stage-II approval.

- (5) The State Government shall charge the Net Present Value (NPV) for the **2.38** ha forest area to be diverted under this proposal from the User Agency as per the order of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006, 5-3/2007-FC dated 05/02/2009 & 5-3/2011-FC(Vol-I) dated 06/01/2022 in this regard.
- (6) All the funds received from the user agency under the project shall be transferred / deposited in CAMPA fund only through e-portal (<https://parivesh.nic.in/>).
- (7) Complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (8) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in Para 1.21 of Chapter 1 of the Handbook of Comprehensive Guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019.
- (9) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
- (10) In case the State Forest Department issues working permission, a copy of the same shall be submitted to this office.

B: Conditions which need to be strictly complied on field after handing over of forest land to the User Agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

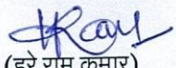
- (1) Legal status of the forest land shall remain unchanged.
- (2) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of a report from the Expert Committee, shall also be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
- (3) ***No tree felling shall be involved in the implementation of this project.***
- (4) ***No muck shall be disposed off in forest land.***
- (5) The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost.
- (6) The layout plan of the proposal shall not be changed without prior approval of Central Government.
- (7) No labour camp shall be established on the forest land.
- (8) The User agency shall raise strip plantation on both sides and central verge of the road as per IRC norms.
- (9) Speed regulating signages will be erected along the road at regular intervals in the Protected Areas/ Forest Areas.
- (10) The User Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- (11) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.

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- (12) The period of diversion under this approval shall be co-terminus with the period of the project life.
- (13) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (14) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department, or person without prior approval of Central Government.
- (15) The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
- (16) Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forest & wildlife.

After receipt of the compliance report regarding fulfillment of the conditions as stipulated above, from the State Government, formal approval will be issued in this regard under Section 2 of Forest (Conservation) Act, 1980.

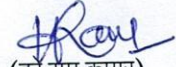
This has been issued with the approval of competent authority.

भवदीय

 (हरे राम कुमार)

तकनीकी अधिकारी(वानिकी)

प्रतिलिपि:

1. वन महानिरीक्षक (एफसी), पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इंदिरा पर्यावरण भव, नई दिल्ली ।
2. प्रधान मुख्य वन संरक्षक(भू-प्रबंध) एवं नोडल अधिकारी, वन विभाग, सतपुडा भवन, भोपाल ।
3. वनमण्डलाधिकारी, सामान्य वनमण्डल बुरहानपुर, जिला-बुरहानपुर, मध्यप्रदेश ।
4. कार्यपालन यंत्री, लोक निर्माण विभाग, संभाग बुरहानपुर, मध्यप्रदेश ।
5. आदेश पत्रावली ।


 (हरे राम कुमार)

तकनीकी अधिकारी(वानिकी)

Signed by Hare Ram Kumar

Date: 01-03-2023 15:48:38

Reason: Approved