



भारत सरकार / GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
क्षेत्रीय कार्यालय, भोपाल / REGIONAL OFFICE, BHOPAL
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क्रमांक 6-एमपीसी 054/2021-बीएचओ/
प्रति,

दिनांक 29/09/2024.

प्रधान सचिव (वन)
मध्यप्रदेश शासन,
वल्लभ भवन, भोपाल ।

विषय: खण्डवा एवं खरगौन जिले के अन्तर्गत रोशिया तालाब योजना के निर्माण हेतु 39.715 हेक्टेयर (36.315 हे. खण्डवा एवं 3.40 हे. खरगौन वनमण्डल) आरक्षित वनभूमि कार्यपालन यंत्री, जल संसाधन संभाग खरगौन को उपयोग पर देने बाबत (FP/MP/IRRIG/32304/2018)

Sir,

This refers to letter Nos. F-3/107/2018/10-11/3131 dated 16/09/2021, 231 dated 16/01/2023, 2343 dated 06/06/2023, 4066 dated 08/09/2023, 2340 dated 01/05/2024 and 4398 dated 16/08/2024 of PCCF/APCCF(LM), 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 the Forest (Conservation) Act, 1980.

After due consideration of the proposal of the State Government and on the decision of Regional Empowered Committee in its 9th REC meeting of 2024 on 05/09/2024, the "in-principle" approval of Central Government, is hereby conveyed for diversion of 39.715 ha of Reserved Forest land (36.315 ha in Khandwa & 3.40 ha in Khargone Forest Division) for construction of Roshiya Tank Project in favour of Water Resources Department in Khandwa & Khargone Districts of Madhya Pradesh, subject to following conditions and stipulations:

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

- (1) Cost of compensatory afforestation on the **39.715 ha CA non-forest land (out of 40.00 ha)** at the prevailing wage rates as per compensatory afforestation scheme (including 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 provisions for anticipated cost increase for the works scheduled for subsequent years.
- (2) Non-forest land shall be transferred and mutated in favour of State Forest department and documents shall be submitted.
- (3) The non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation shall be declared 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 State Forest Act. A copy of the PF/RF notification may be submitted in Stage-I compliance report.
- (4) The User Agency shall ensure that area proposed for CA should be free from all encumbrances/ encroachment prior to mutation/ handing over to the State Forest Department.

- (5) The State Government shall charge Net Present Value (NPV) for the **39.715 ha** forest area to be diverted under this proposal from the User Agency as per orders 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) A copy of the approved Catchment Area Treatment (CAT) Plan shall be submitted in accordance to para no. 4.8(i) of F(C)Act, 1980 and deposit the requisite amount at the cost of the user agency in CAMPA.
- (7) 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/>).
- (8) Complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (9) The KML files of diverted and CA areas shall be uploaded on the e-Green watch portal with all requisite details prior to Stage-II approval.
- (10) Violation of any of these conditions will amount to violation of the 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.
- (11) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

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) Compensatory afforestation shall be taken up by the Forest Department over **39.715 ha (out of 40.00 ha) non-forest land** 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 shall be avoided. Details of CA areas are as follows :

No.	Survey No.	Village/ Tehsil/ District	CA Area (ha)
1.	12/2, 16, 18, 20, 37/1	Jaisinghpura/ Bhikangaon/ Khargone	39.715 ha
Total			39.715 ha

- (3) Additional amount of 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 the 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.
- (4) ***The felling of trees shall be restricted to FRL-4 meter in the diverted forest land and they shall be felled under the strict supervision of the State Forest Department or the cost of felling of trees shall be deposited by the User Agency with the State Forest Department and the State Forest Department shall undertake the fellings.***
- (5) Boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per directions of the concerned Divisional Forest Officer.
- (6) Layout plan of the proposal shall not be changed without prior approval of the Central Government.
- (7) No labour camp shall be established on the forest land.

- (8) The User Agency shall provide alternate fuels preferably LPG to the labourers and staff working at the site so as to prevent any damage and pressure on the nearby forests.
- (9) The period of diversion under this approval shall be co-terminus with the project life.
- (10) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (11) The User Agency and the State Government shall ensure compliance to provisions of all the Acts, Rules, Regulations, Guidelines, Hon'ble Court Order(s) and National Green Tribunal Order(s) pertaining to this project, if any, for the time being in force, as applicable to the project.
- (12) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of the Central Government.
- (13) 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 the Forest (Conservation) Act, 1980.

This has been issued with the approval of competent authority.

Signed by Yogesh Gairola

(डॉ. योगेश गैरोला)

Date: 29-09-2024 18:44:51

तकनीकी अधिकारी(वानिकी)

प्रतिलिपि:

1. वन महानिरीक्षक(एफसी), पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, जोरबाग रोड, नई दिल्ली ।
2. अपर प्रधान मुख्य वन संरक्षक(भू-प्रबंध) एवं नोडल अधिकारी, वन विभाग, तुलसीनगर, भोपाल ।
3. वनमण्डलाधिकारी, सामान्य वनमण्डल खण्डवा/ खरगौन मध्यप्रदेश ।
4. कार्यपालन यंत्री, जल संसाधन संभाग खरगोन, जिला-खरगोन, मध्यप्रदेश ।
5. आदेश पत्रावली ।

(डॉ. योगेश गैरोला)

तकनीकी अधिकारी(वानिकी)