



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-एमपीआर 038/2023-बीएचओ/

दिनांक : 29/12/2023.

प्रति,

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

विषय: खण्डवा एवं बुरहानपुर जिले में भारतमाला परियोजना के अन्तर्गत राष्ट्रीय राजमार्ग 753L के तहत बोरेगांव बुजुर्ग से मुक्ताईनगर फोरलेन मार्ग निर्माण/ चौड़ीकरण हेतु 87.5709 हेक्टेयर (10.6681 हे. वनमण्डल खण्डवा एवं 76.9028 हे. वनमण्डल बुरहानपुर) आरक्षित एवं संरक्षित वनभूमि परियोजना निदेशक, भारतीय राष्ट्रीय राजमार्ग प्राधिकरण को उपयोग पर देने बाबत (Online Proposal No. FP/MP/ROAD/156438/2022).

Sir,

This refers to letter Nos. F-5/1351/2023/10-11/4601 dated 17/10/23 and 5170 dated 30/11/23 of APCCF (LM), 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 and on the decision of Regional Empowered Committee in its 15th meeting of 2023 on 11/12/2023, the "in-principle" approval of the Central Government, is hereby conveyed for diversion of 87.5709 ha (10.6681 ha Forest Division Khandwa & 76.9028 ha Forest Division Burhanpur) Reserved & Protected Forest land for 4 laning of Indore-Muktainagar Section of NH-753L from Boregaon Buzurg, Khandwa District in M.P. Design Ch. 139+000 to Muktainagar, Jalgaon District in Maharashtra Design Ch.216+278 (length 77.278km) under Bharatmala Pariyojana in favour of General Manager, National Highway Authority in Khandwa & Burhanpur 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 180.00 ha degraded-forest land at 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) The State Government shall charge the Net Present Value (NPV) for the 87.5709 ha forest area to be diverted under this proposal from the User Agency as per the 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.

Handwritten signature and date 29/12/23

- (3) 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/>).
- (4) Complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (5) All conditions of the CWLW/SBWL/NBWL shall be strictly complied, wherever applicable.
- (6) **The User Agency in consultation with the State Forest Department shall prepare a site specific plantation scheme and will bear the maintenance cost of these plantations for 10 years for all the patches of forest land getting parted from main forest land after diversion of 87.5709 ha forest land for the construction of proposed road. The User Agency will also bear the cost of constructing protection wall fitted with strong gate all around these parted forest patches and also ensure provision of water for irrigation in them. The minimum thickness of protection wall should be kept at about 14" inches. Tall plants of only indigenous species shall be planted in the plantation.**
- (7) **The User agency shall submit road side plantation scheme in consultation with the State Forest Department and the plantation shall be carried out by SFD at the cost of the User Agency.**
- (8) **The User Agency shall submit an undertaking that no muck shall be disposed off in forest land.**
- (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 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/>).
- (12) In case working permission is granted by the State Forest Department, a copy of the same shall be submitted with compliance report of Stage-I approval.

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 **180.00 ha degraded-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 CAs are as follows:

Sr.No.	Range	Forest Division	Forest Comptt.	CA Area (ha)
1	Burhanpur	Burhanpur	RF-460	25.00
2	Barwanl	Barwanl	RF-295	25.00
3	Bhikangaon	Khargone	RF-972	50.00
4	Bhikangaon	Khargone	RF-1002	80.00
TOTAL				180.00 Ha

- (3) 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 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 User Agency shall restrict felling of trees to the enumerated 18702 numbers/minimum number in the diverted forest land and the trees shall be felled under 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.
- (6) User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
- (7) Speed regulating signages shall be erected all along the road at regular intervals in the Protected Areas/ Forest Areas.
- (8) Layout plan of the proposal shall not be changed without prior approval of the Central Government.
- (9) No labour camp shall be established on the forest land.
- (10) 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.
- (11) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (12) The period of diversion under this approval shall be co-terminus with the project life.
- (13) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (14) 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.
- (15) 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.
- (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.

(डॉ. योगेश गैरोला)

तकनीकी अधिकारी (वानिकी)

प्रितलिपि:

1. वन महानिरीक्षक(एफसी), पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इंदिरा पर्यावरण भवन, नई दिल्ली ।
2. अपर प्रधान मुख्य वन संरक्षक(भू-प्रबंध) एवं नोडल अधिकारी, वन विभाग, वन भवन, तुलसीनगर, भोपाल ।
3. वनमण्डलाधिकारी, सामान्य वनमण्डल खण्डवा/ बुरहानपुर, मध्यप्रदेश ।
4. परियोजना निदेशक, भारतीय राष्ट्रीय राजमार्ग प्राधिकरण, खण्डवा, मध्यप्रदेश ।
5. आदेश पत्रावली ।