

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bagh Road,
New Delhi – 110003.
Dated: 9th November, 2022

To

The Principal Secretary (Forests),
Government of Madhya Pradesh,
Bhopal.

Subject: Diversion of 421.00 ha forest land under Forest (Conservation) Act, 1980 for relocation of Village Bagcha from Kuno National Park, District - Sheopur, Madhya Pradesh State (Online No. FP/MP/REHAB/152389/2022) – regarding.

Madam/Sir,

I am directed to refer to the Government of Madhya Pradesh's letter No. F-5/1151/2022/10-11/2951 dated 24.08.2022 on the above mentioned subject, seeking prior approval of Central Government under Section – 2 (ii) of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid act.

After careful examination of the proposal of the State Government & on the basis of the recommendations of the Forest Advisory Committee and with due approval of the Hon'ble Minister, Environment, Forest and Climate Change "In-principle/ Stage-I" approval of the Central Government is hereby granted under Section 2 of the Forest (Conservation) Act, 1980 for non-forest use of 421.00 ha forest land for relocation of Village Bagcha from Kuno National Park, District - Sheopur, Madhya Pradesh State subject to the fulfilment of following conditions :

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department and compliance is to be submitted prior to Stage-II approval:


- i. The legal status of 55 ha forest area (out of 421 ha) which is unfit for agriculture and is proposed to be utilized for plantation shall remain unchanged;
- ii. The State Govt. shall submit the documentary evidence/certificate indicating the extent of Nistar/community rights;
- iii. The District Collector concerned shall furnish a certificate of non-availability of suitable non-forest land for relocation of village Bagcha;
- iv. The SIR submitted by IRO Bhopal mentions that Rambadi Villagers have encroached upon the forest area near the village. The State Government shall initiate legal action for eviction of said encroachments on forest land;
- v. The correct and complete KML file of the area proposed for diversion shall be


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uploaded on the e-Green watch portal with all requisite details;
vi. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

B: Conditions which need to be 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 and compliance is to be submitted prior to Stage-II approval:

- i. Legal status of the diverted forest land(except 55ha proposed to be utilized for plantation) may be changed to non-forest land by the State in accordance with Hon'ble Supreme Court order dated 28.01.2019 in IA No. 3924 of 2015 in WP(C) 202/1995 and Ministry's Guidelines dated 20.05.2019;
- ii. The area to be vacated shall be mutated in the name of Forest Department and notified as RF/PF under relevant sections of the Indian Forest Act, 1927, or the State Forest Act as the case may be;
- iii. The State Government shall ensure that the land vacated in the protected area due to relocation of Village will be developed as per approved Wildlife Management Plan/NTCA Guidelines;
- iv. The State Government shall ensure that the relocation package is implemented with due regard to specific court orders and Government norms in this regard;
- v. The State Government shall ensure that no fragmentation of forests should take place due to the relocation project;
- vi. The State Govt. shall ensure that the details of relocation shall be provided to the NTCA for onward legal action/ compliance in IA No. 3924 of 2015 in WP(C) 202/1995;
- vii. No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably 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;
- viii. The State Govt. shall ensure that as far as possible naturally growing trees are retained along the roads, in the school, other Government / public utility complexes around the boundaries of the proposed village, as natural groves;
- ix. 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 the supervision of the State Forest Department;
- x. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xi. The forest land shall not be used for any purpose other than that specified in the proposal;
- xii. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost as per the directions of the concerned Divisional Forest Officer.
- xiii. No damage to the flora and fauna of the adjoining area shall be caused;
- xiv. The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year;
- xv. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife;
- xvi. The user agency and State Govt. shall ensure compliance of the provisions of all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s)


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pertaining to this project, if any, for the time being in force, as applicable to the project;

xvii. 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.

After receipt of compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section 2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours sincerely


(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Madhya Pradesh, Bhopal;
2. The Regional Officer, Integrated Regional Office, MoEF&CC, Bhopal;
3. The Nodal Officer (FCA), Department of Forest, Government of Madhya Pradesh, Bhopal;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading on PARIVESH portal.