

I/57307/2023



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-एमपीबी 017/2022-बीएचओ/
प्रति,

दिनांक : ~~10/10/2023~~
11/11/2023

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

Sub: धार जिले में पर्यटन विकास के उद्देश्य से ग्राम-मालीपुरा से ग्राम सुलीबर्डी तक पानी की पाईप लाईन डालने हेतु 0.067 हेक्टेयर संरक्षित वनभूमि मेसर्स मांडवगढ़ होटल प्राइवेट लिमिटेड को उपयोग पर देने बाबत (Online Proposal No. FP/MP/PIPELINE/145842/2021)।

Sir,

This refers to letter No.F-5/1112/2022/10-11/1535 dated 02/05/22 and 1953 dated 15/05/23 of PCCF(LM) of 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 0.067 ha Protected Forest land for laying of water pipeline for setup of Tourism Unit from Village-Malipura to Sulibardi in favour of M/s Mandavgarh Hotel Private Limited in Dhar 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) Cost of compensatory afforestation on the **0.134 ha degraded forest land** 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 provisions for anticipated cost increase for the works scheduled for subsequent years.
- (2) The State Government shall charge Net Present Value (NPV) for the **0.067 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, 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.
- (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/>).

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- (4) Complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (5) ***The KML file of CA area & CA scheme shall be uploaded on web portal.***
- (6) ***The User Agency shall submit an undertaking that no muck shall be disposed off in forest land.***
- (7) 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.
- (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/>).

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 **0.134 ha degraded-forest land at Survey No. 339 Banjari, Forest Range- Mandav, District-Dhar** 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.
- (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) **No tree felling shall be involved in the implementation of this project.**
- (5) The State Government and user agency shall comply with the provisions of all the Acts, Rules, Regulation, 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.
- (6) The Pipeline shall be laid 1.5 meter below ground and after laying of pipeline the ground shall be properly leveled.
- (7) User Agency shall obtain Environmental Clearance as per provisions of the Environmental (Protection) Act, 1986, if applicable.
- (8) 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.
- (9) Layout plan of the proposal shall not be changed without prior approval of the Central Government.
- (10) No labour camp shall be established on the forest land.
- (11) 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.
- (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.

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- (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 the Central Government.
- (15) 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 भवन, नई दिल्ली ।
2. अपर प्रधान मुख्य वन संरक्षक(भू-प्रबंध) एवं नोडल अधिकारी, वन विभाग, वन भवन, तुलसीनगर, भोपाल ।
3. वनमण्डलाधिकारी, सामान्य वनमण्डल धार, जिला-धार, मध्यप्रदेश ।
4. मेसर्स मांडवगढ़ होटल प्राईवेट लिमिटेड, हिरन मगरी, सेक्टर-3 उदयपुर, राजस्थान ।
5. आदेश पत्रावली ।

Signed by Hare Ram Kumar

Date: 11-11-2023 10:06:08

Reason: Approved


(हरे राम कुमार)

तकनीकी अधिकारी(वानिकी)