

I/57354/2023



सत्यमेव जयते

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 034/2023-बीएचओ/

दिनांक : 11 /11/2023.

प्रति,

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

विषय: बालाघाट जिले में प्रधानमंत्री ग्राम सड़क योजना (RCPLWE) के अन्तर्गत हल्बीटोला भालवा से कालागोटा, केसामाटे तक मार्ग निर्माण हेतु 2.25 हेक्टेयर संरक्षित वनभूमि महाप्रबंधक, मध्य प्रदेश ग्रामीण सड़क विकास प्राधिकरण को उपयोग पर देने बाबत (Online Proposal No. FP/MP/Road /155435/2022) ।

Sir,

This refers to letter No. F-5/1248/2023/10-11/1948 dated 15/05/23, 4194 dated 20/09/2023 PCCF/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, the "in-principle approval" of Central Government, is hereby conveyed for diversion of 2.25 ha Protected Forest land for construction of road from Halbitola Bhalwa to Kalagota Kesha mate under RCPLWEA Scheme in favour of General Manager, Madhya Pradesh Rural Road Development Authority in Balaghat District 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 2.25 X 2 = 4.50 ha (out of 89.255 ha) **Chhote-Bade Jhar ka Jungle land** at 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 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**

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Forest Act. A Copy of PF/RF notification may be submitted in Stage-I compliance report.

- (4) Cost of compensatory afforestation on the **36.00 ha Degraded forest land (consolidated for six proposals)** 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.
- (5) **The concern DFO shall submit proposal wise CA KML file/Geo reference map (NFL and DFL both) at the time of Stage-II approval.**
- (6) The State Government shall charge Net Present Value (NPV) for the **2.25 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.
- (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) All conditions of CWLW/SBWL/NBWL shall be strictly complied, wherever applicable.
- (10) **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 User Agency.**
- (11) **The User Agency shall submit an undertaking that no muck shall be disposed off in forest land.**
- (12) 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.
- (13) 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.
- (14) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
- (15) 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 **4.50 ha (out of 89.255 ha) Chhote-Bade Jhar ka Jungle land at Khasra No. 210/1, 264/1, Village-Sunder, Tehsil-Tirodi, District-Balaghat** 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) Compensatory afforestation shall be taken up by the Forest Department over **36.00 ha Degraded forest land (consolidated for six proposals) at Forest Comptt/ Survey No. RF-359, Forest Range-East Lanjhi, District-Balaghat** 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.
- (4) 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.
- (5) The User Agency shall restrict felling of trees to the enumerated **131 numbers/minimum** number in the diverted forest land and the trees 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 State Forest Department shall undertake the fellings.
- (6) Boundary of the diverted forest land shall be suitably demarcated on ground at the project cost.
- (7) ***User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.***
- (8) ***Speed regulating signages will be erected all along the road at regular intervals in the Protected Areas/ Forest Areas.***
- (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) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (13) The period of diversion under this approval shall be co-terminus with the project life.
- (14) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (15) 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.
- (16) 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.

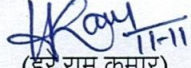
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- (17) Any other condition that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forest & wildlife.

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)

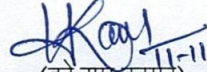
प्रतिलिपि:

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 दक्षिण बालाघाट, जिला-बालाघाट, मध्यप्रदेश ।
4. महाप्रबंधक, मध्यप्रदेश ग्रामीण सड़क विकास प्राधिकरण, परियोजना क्रियान्वयन इकाई, आर.टी.ओ. ऑफिस के पास, सिविल लाईन, बालाघाट, मध्यप्रदेश ।
5. आदेश पत्रावली ।

Signed by Hare Ram Kumar

Date: 11-11-2023 10:02:13

Reason: Approved


(हरे राम कुमार)

तकनीकी अधिकारी(वानिकी)