



भारत सरकार / GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
एकीकृत क्षेत्रीय कार्यालय, भोपाल / INTEGRATED REGIONAL OFFICE, BHOPAL
Kendriya Paryavaran Bhavan, Link Road No.3, E-5, Ravi Shankar Nagar,
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क्रमांक 6-एमपीबी 030/2022-बीएचओ/

दिनांक : 13/02/2023

प्रति,

प्रधान सचिव (वन)

मध्यप्रदेश शासन,

वल्लभ भवन, भोपाल ।

विषय: धार जिले में ए.डी.बी-6 योजना के अन्तर्गत टाण्डा-बलवारी मार्ग के उन्नयन/चौड़ीकरण हेतु 0.9884 हेक्टेयर आरक्षित वनभूमि संभागीय प्रबंधक, मध्यप्रदेश सड़क विकास निगम लिमिटेड को उपयोग पर देने बाबत ।

Sir,

This refers to letter No. F-5/1137/2022/10-11/2848 dated 17/08/2022 and even letter No. 3660 dated 31/10/22 of PCCF(LM), and 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 0.9884 ha Reserved Forest land for upgradation/widening of Tanda-Balwari Road under ADB-6 Scheme in favour of Divisional Manager, Madhya Pradesh Road Development Corporation 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) The cost of compensatory afforestation on the CA land **0.9884 ha Non-forest land (out of 5.145 ha NFL consolidated CA land)** at 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 provision for anticipated cost increase for 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. Copy of PF/RF notification shall be submitted with Stage-I compliance report.**
- (4) The State Government shall charge the Net Present Value (NPV) for the **0.9884 ha** forest area to be diverted under this proposal from the User Agency as per the order 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.

- (5) All the funds received from the user agency under the project shall be transferred / deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).
- (6) Complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (7) 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.
- (8) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
- (9) In case the State Forest Department issues working permission, a copy of the same shall be submitted to this office.

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 **0.9884 ha non-forest land (out of 5.145 ha NFL consolidated CA land) at Khasra NO. 553/1, Village- Moyakheda, Tehsil-Sardarpur, 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 should 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 a 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) User Agency shall minimise the number of trees to be felled subject to a maximum of 138 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 felling of trees.
- (5) Boundary of the diverted forest land shall be suitably demarcated on the ground at the project cost.
- (6) Layout plan of the proposal shall not be changed without prior approval of the Central Government.
- (7) The User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
- (8) Speed regulating signages shall be erected all along the road at regular intervals in the forest area.
- (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 the staff working at the site so as to avoid any damage and pressure on the nearby forest.

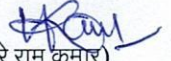
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- (11) No additional or new path shall be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (12) The period of diversion under this approval shall be co-terminus with the period of the project life.
- (13) The forest land shall not be used for any purpose other than that specified in the project proposal.
- (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) 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 in force, as applicable to the project.
- (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.

भवदीय




(हरे राम कुमार)

तकनीकी अधिकारी (वानिकी)

प्रतिलिपि:

1. वन महानिरीक्षक (एफसी), पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इंदिरा पर्यावरण भवन, नई दिल्ली ।
2. प्रधान मुख्य वन संरक्षक (भू-प्रबंध) एवं नोडल अधिकारी, वन विभाग, सतपुड़ा भवन, भोपाल ।
3. वनमण्डलाधिकारी, सामान्य वनमण्डल धार, जिला-धार, मध्यप्रदेश ।
4. संभागीय प्रबंधक, मध्यप्रदेश सड़क विकास निगम लिमिटेड धार, जिला-धार, मध्यप्रदेश ।
5. आदेश पत्रावली ।



(हरे राम कुमार)

तकनीकी अधिकारी (वानिकी)

Signed by Hare Ram Kumar

Date: 13-02-2023 14:05:47

Reason: Approved