

11/11478/2022



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

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क्रमांक 6-एमपीबी 014/2022-बीएचओ/

दिनांक: 11/11/2022

प्रति,

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

विषय: Diversion of 3.861 ha Reserved Forest land for laying of 132 KV Mahalgaon-Gwalior-II line in favour of Executive Engineer, M.P. Power Transmission Company Limited in Gwalior District of Madhya Pradesh-reg.

Sir,

This refers to letter No. F-4/12/2022/10-11/1471 dated 26/04/2022 and even letter No. 2945 dated 24/8/22 of PCCF(LM), 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 3.861 ha Reserved Forest land for laying of 132 KV Mahalgaon-Gwalior-II line in favour of Executive Engineer, M.P. Power Transmission Company Limited in Gwalior 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 (7.722 ha DFL) 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) The State Government shall charge the Net Present Value (NPV) for the 3.816 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 and 5-3/2007-FC dated 05/02/2009, 5-3/2011-FC (Vol-II) dated 06/01/2022.
- (3) **The State Govt. shall be charged NPV as per MoEF&CC, New Delhi guideline No. 5-3/2011-FC(Vol-I) dated 06/01/2022.**

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- (4) The User Agency in consultation with the State Forest Department prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in right of way under the transmission line for execution of the said scheme to the State Forest Department.
- (5) The User Agency will defray the cost of such plantation (medicinal/dwarf species plantation).
- (6) Cost of the medicinal/dwarf species plantation shall be transferred to CAMPA fund via online/ e.portal.
- (7) 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/>).
- (8) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (9) The KML files of diverted area 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/>).

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 7.722 ha degraded forest land at Survey No. 110, Gram Panchayat-Mukthiyarpur, Tehsil-Tansen Hastnapur, District-Gwalior 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 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) ***Only 30% of the trees are approved to be felled and list of trees shall be submitted in compliance of In-principle approval.***
- (5) The User Agency should fence the base of the tower by Chain Link Fencing to prevent the electrocution of Elephant/ Wild Animals in forest area at their own cost. The concerned DFO shall inspect the area and shall take a decision as to the specific towers which shall be fenced.
- (6) ***The User Agency shall comply with the guideline for laying transmission lines through forest as per Chapter 10 of FCA, 1980 Handbook, 2019.***
- (7) The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Dy. Conservator of Forest.

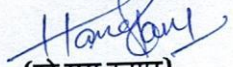
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- (8) The layout plan of the proposal shall not be changed without prior approval of Central Government.
- (9) No labour camp shall be established on the forest land.
- (10) The User Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
- (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 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 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.

2. 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. Transfer of forest land to user agency should not be given effect to by the State Government till formal order approving diversion of forest land is issued by the Central Government.

This has been issued with the approval of the Competent Authority.

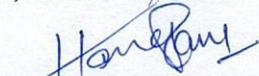
भवदीय


 (हरे राम कुमार)

तकनीकी अधिकारी (वानिकी)

Copy to:-

1. The Inspector General of Forest (FC), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110 003.
2. The PCCF-cum-Nodal Officer (LM), and Nodal Officer, Forest Department, Satpura Bhawan, Bhopal, Madhya Pradesh.
3. The Divisional Forest Officer, Forest Division Gwalior, District-Gwalior, M.P.
4. The Executive Engineer, M.P. Power Transmission Company Limited, District-Gwalior, Madhya Pradesh.
5. Order file.


 (हरे राम कुमार)

तकनीकी अधिकारी (वानिकी)