



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-एमपीबी063/2023-बीएचओ/
प्रति,

दिनांक : ~~10/2023~~

22/10/2023

प्रधान सचिव (वन)

मध्यप्रदेश शासन,

वल्लभ भवन, भोपाल ।

Sub: गुना जिले में जल जीवन मिशन अन्तर्गत राजघाट समूह जल प्रदाय योजना के तहत भूमिगत पाईप लाईन बिछाने हेतु 4.089 हेक्टेयर (ऑनलाईन आवेदित 4.11 हे.) संरक्षित वनभूमिमहाप्रबंधक, मध्य प्रदेश जल निगम मर्यादित, परियोजना क्रियान्वयन इकाई, ग्वालियर को उपयोग पर देने बाबत (FP/MP/WATER/146889/2021).

Sir,

This refers to letter No. F-5/1328/2023/10-11/4304 dated 26/09/2023 of 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 4.089 ha (Online proposed 4.11 ha) Protected Forest land for laying underground drinking water pipeline under Rajghat Multi Village Scheme in favour of General Manager, Madhya Pradesh Jal Nigam Maryadit in Guna 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 CA land 4.089 ha (out of 10.00 ha) non-forest land at the 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.
- (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 may be sent in Stage-I compliance report.
- (4) The State Government shall charge Net Present Value (NPV) for the 4.089 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.

- (5) 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/>).
 - (6) Complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
 - (7) **The User Agency shall submit administrative approval/ sanction letter of the project before granting of working permission.**
 - (8) **The User Agency shall submit/ upload full KML file of layout plan of forest area and non forest area (full project KML file) before granting working permission.**
 - (9) **The User Agency shall submit justification for location of the project in forest land (counter signed by DFO) before granting working permission .**
 - (10) **The User Agency shall submit no objection certificates of concerned department (Railway, WRD, Road, TL etc) before granting working permission.**
 - (11) **The User Agency shall submit detailed muck calculation and muck disposal scheme as approved by concerned DFO before granting working permission.**
 - (12) **The proposed diversion area is a part of Elephant corridor, accordingly the CWLW comments shall be submitted before granting working permission.**
 - (13) **The User Agency shall submit/ upload revised diversion area KML file of 4.089 ha before granting working permission.**
 - (14) **As per DSS analysis some forest area is observed to be not included in the proposed diversion area. DFO to reassess the area proposed for diversion based on field position and Working plan forest boundaries and if there is a variation in area proposed for diversion, then the approval shall be deemed to be revoked and the proposal shall be deemed to be rejected.**
 - (15) **The User Agency shall submit an undertaking that no muck shall be disposed off in forest land.**
 - (16) **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.**
 - (17) **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.**
 - (18) **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 4.089 ha (out of 10.00 ha) non-forest land at Khasra No. 92/1, Village-Ramgirkhurd, Tehsil-Aaron, District- Guna 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) The User Agency shall restrict felling of trees to the enumerated **77 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.
- (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 pipe line 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.
- (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


(हररामकुमार)

तकनीकीअधिकारी(वानिकी)

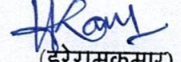
प्रतिलिपि:

1. वनमहानिरीक्षक(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, तुलसी नगर, भोपाल ।
3. वनमण्डलाधिकारी, सामान्य वनमण्डल, गुना, मध्यप्रदेश ।
4. महाप्रबंधक, मध्यप्रदेश जल निगम मर्यादित, परियोजना क्रियान्वयन इकाई, ग्वालियर, मध्यप्रदेश ।
5. आदेश पत्रावली ।

Signed by Hare Ram Kumar

Date: 22-10-2023 19:10:49

Reason: Approved


(हरेरामकुमार)

तकनीकीअधिकारी(वानिकी)