



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 035/2022-बीएचओ/

दिनांक : 21/02/2024.

प्रति,

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

विषय: देवास जिले में नेमावर समूह जल प्रदाय योजना के अन्तर्गत MBR पम्प हाऊस एवं पाईप लाईन बिछाने हेतु 0.8689 हेक्टेयर(पूर्व में आवेदित 0.95 हे.) आरक्षित एवं संरक्षित वनभूमि महाप्रबंधक, मध्यप्रदेश जल निगम मर्यादित को उपयोग पर देने बाबत(Online Proposal No. FP/MP/WATER/152376/2022).

Sir,

This refers to letter Nos. F-5/1149/2022/10-11/3933 dated 21/11/2022, 3283 dated 25/07/23 and 868 dated 07/02/2024 of 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, "in-principle" approval of the Central Government, is hereby conveyed for diversion of 0.8689 ha (earlier proposed 0.95 ha) Reserved & Protected Forest land for construction of MBR Pump House & laying of pipeline under Nemawar (Hatpipliya) Multi Village Rural Water Supply Scheme in favour of General Manger, Jal Nigam Maryadit in Dewas 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) The cost of compensatory afforestation on the CA **5.00 ha degraded 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) The State Government shall charge Net Present Value (NPV) for the **0.8689 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.
- (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/>).

- (4) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- (5) **Stage I approval is given with the condition that work can be started only after the construction of other components of the project is also approved under the provisions of FCA, 1980.**
- (6) **DFO shall ensure that no other forest land is utilized for non forestry purpose during the implementation of this project other than that approved in this project.**
- (7) **The User Agency shall submit an undertaking that no muck shall be disposed off in forest land.**
- (8) 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.
- (9) 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.
- (10) 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 the 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 **5.00 ha degraded forest land at Comptt. No. 2, Beat-Nagda, Forest Range-Dewas, District-Dewas** 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.
- Handwritten mark* (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 **436 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 the ground and after laying of pipe the ground shall be properly leveled.
- (7) The User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
- (8) Boundary of the diverted forest land shall be suitably demarcated on the ground at the project cost, as per the 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.

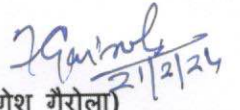
This has been issued with the approval of competent authority.


(डॉ. योगेश गैरोला)

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, तुलसी नगर, भोपाल ।
3. वनमण्डलाधिकारी, सामान्य वनमण्डल देवास, जिला-देवास, मध्यप्रदेश ।
4. महाप्रबंधक, मध्यप्रदेश जल निगम मर्यादित, परियोजना क्रियान्वयन इकाई, इन्दौर, मध्यप्रदेश ।
5. आदेश पत्रावली ।


(डॉ. योगेश गैरोला)

तकनीकी अधिकारी(वानिकी)