



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST
AND CLIMATE CHANGE

एकीकृत क्षेत्रीय कार्यालय
Integrated Regional Office
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File No. 6-MPB072/2020-BHO/ 251

Date : 24/03/2021

To,

The Principal Secretary (Forests)
Govt. of Madhya Pradesh,
Vallabh Bhawan
Bhopal.

Sub: Diversion of 0.35 ha Revenue Forest land for construction of various sections of Civil Court Punasa District Khandwa in favour of District and Sessions Court Khandwa.

Sir,

I am directed to refer to APCCF(LM), Govt. of MP letter No. F-5/972/2020/10-11/3951 dated 20.11.2020 on the above mentioned subject seeking prior approval of the Central Government under section-2 of the Forest (Conservation) Act, 1980.

After due consideration of the above proposal of the State Government the undersigned on behalf of the Central Government is hereby directed to convey **In-principle approval** for diversion of Diversion of 0.35 ha Revenue Forest land for construction of various sections of Civil Court Punasa District Khandwa in favour of District and Sessions Court Khandwa Madhya Pradesh subject to the following conditions:-

Specific Conditions:

1. Legal status of the forest land shall remain unchanged.
2. Forest land will be handed over only after required non-forest land for the project is handed over to the user agency.
3. **Compensatory Afforestation:**
 - a) Compensatory Afforestation shall be taken up by the Forest Department over **1.00 ha (out of 424.21 ha) de-graded forest land** at Survey No. RF-150, Gram Panchayat-Punasa, Tehsil-Punasa, District-West Nimad (Khandwa), Madhya Pradesh at the cost of the User Agency. Compensatory afforestation shall be of a mix of local indigenous species. Monoculture of any species shall be avoided.
 - b) Total No. of sapling to be planted shall be not less than 1,000 nos. (1.00 ha x 1000) in CA land. The composition of saplings (number of species-wise) to be planted in the CA land shall be as per National Forest Policy and as per CA scheme submitted vide APCCF(LM), Govt. of Madhya Pradesh letter No. F-5/972/2020/10-11/648 dated 11.02.2021 and record shall be kept.
 - c) The standard size sapling (minimum height & minimum collar girth and maximum sturdiness quotient species wise) as approved by the State Govt. and as per specification in CA scheme submitted by APCCF(LM), Govt. of Madhya Pradesh letter No. F-5/972/2020/10-11/648 dated 11.02.2021 shall be planted in the selected CA land.
 - d) The height and collar girth (species wise) shall be measured & recorded at the time of plantation and in November of plantation year. Further, data of height, collar girth and survival percentage (species wise) twice a year (April & November month) shall be recorded & records shall be maintained.

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- e) All the live stumps and pollards having girth at ground level ≤ 90 cm and having coppicing properties present in this CA area shall be dressed from the ground level and girthwise record shall be kept.
- f) The CA plantation shall be taken place before end of 2022 monsoon.
4. The cost of Compensatory Afforestation, survey, demarcation and erection of pillars shall be deposited in advance at prevailing wage rate with the Forest Department by the User Agency. The CA shall be maintained for 10 years. The scheme shall include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
5. 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.
6. The user agency shall deposit Rs. 7,72,319/- for CA in CAMPA fund, New Delhi.
7. **NPV:**
 - a) The State Government shall charge the Net Present Value(NPV) for the **0.35 ha** forest area to be diverted under this proposal from the User Agency as per the 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 and 5-3/2007-FC dated 05/02/2009 and Chapter No. 3 of FCA Handbook, 2019 in this regard.
 - b) 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 be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
8. No felling of trees shall be involved in the implementation of this project.
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. The user agency shall submit Environmental clearance, if applicable.
11. **The forest land shall not be used for residential purpose.**
12. **This project will be treated as block project and forest land shall not be handed over before Stage-II approval to the user agency.**

General Conditions:

1. All the funds received from the user agency under the project shall be transferred/ deposited in CAMPA fund only through *e.portal* (<http://parivesh.nic.in>).
2. All the conditions of State Forest Department/Local Forest rules shall be applicable in this project.
3. The trees with bird nest, reptiles and habitat of wildlife was observed then such trees shall be treated with special care for relocation in the forest land by forest department at the cost of user agency.
4. No labour camp shall be established on the forest land.
5. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
6. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.

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[Signature]

7. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
8. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
9. The forest land shall not be use for any purpose other than that specified in the project proposal.
10. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
11. The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, 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.
12. All the conditions of State Forest Department/Local Forest rules shall be applicable in this project.
13. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the Para 1.21 of Handbook of F(C) 1980 & FC Rules 2003 published in 2019.
14. Any other condition that the Ministry of Environment, Forests and Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
15. The complete compliance report in letter format from State Govt. shall be uploaded on e-portal (<http://parivesh.nic.in/>).

After receipt of compliance report on fulfillment of all the above conditions from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980.

Any order for transfer of forest land to user agency shall not be issued by the State Government till formal approval for diversion of forest land is issued by this office.

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

 24-3-21

(Hare Ram Kumar)
Technical Officer (Forestry)

Copy to :-

1. The Principal Chief Conservator of Forests & Head of Forest Force, Forest Department, Satpura Bhawan, Bhopal, Madhya Pradesh.
2. The Addl. Director General of Forests (FC), Govt. of India, Ministry of Environment and Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi - 110003.
3. The APCCF (LM) and Nodal Officer, Forest Department, Satpura Bhawan, Bhopal, Madhya Pradesh.
4. The Chief Conservator of Forests, Forest Circle Khandwa, Madhya Pradesh.
5. The Divisional Forest Officer, Social Forestry Division Khandwa, Madhya Pradesh.
6. The District and sessions Court, Khandwa, Civil Lines, Khandwa, Madhya Pradesh.
7. Order file.

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(Hare Ram Kumar)
Technical Officer (Forestry)