



सत्यमेव जयते

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

क्षेत्रीय कार्यालय, पश्चिम क्षेत्र  
Regional Office, Western Region  
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File No. 6-MPB021/2020-BHO/ 622

Date: 29/7/20

To,

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

Sub: Diversion of 0.25 ha (Online: 0.24 ha) of revenue forest land for construction of underground tunnel for new railway line in the Dhar District of Madhya Pradesh in favour of Deputy Chief Engineer Construction II Indore Western Railways, Near Patel Road over bridge in front of Railway station, Indore, Madhya Pradesh-reg.

Sir,

I am directed to invite a reference to your letter No. F-5/916/2019/10-11/980 dated 09/03/2020 on the above mentioned subject seeking prior approval of the Central Government under Section – 2 of the Forest (Conservation) Act, 1980.

The proposal was duly considered and approved by the Regional Empowered Committee in its meeting held on 26/05/2020 for issuance of in-principle approval. Therefore, the undersigned, on behalf of the Central Government, conveys **In-Principle Approval (Stage-I)** for diversion of 0.25 ha (Online: 0.24 ha) of revenue forest land for construction of underground tunnel for new railway line in the Dhar District of Madhya Pradesh in favour of Deputy Chief Engineer Construction II Indore Western Railways, Near Patel Road over bridge in front of Railway station, Indore, Madhya Pradesh subject to the following terms and conditions:-

**Specific Conditions:**

1. Legal status of the forest land shall remain unchanged.
2. Forest land shall be handed over to the user agency only after required non-forest land for the project is handed over by the user agency.
3. **Compensatory afforestation:**
  - a) Compensatory Afforestation shall be taken up by the Forest Department over **0.50 ha degraded-forest land** 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 500 nos. (0.50 ha x 1,111) 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 Madhay Pradesh letter No. F-5/916/10-11/2020 dated 20.06.2020 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 Madhay Pradesh

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letter No. F-5/916/10-11/2020 dated 20.06.2020 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.
- e) The Sturdiness Quotient of the plants at the time of plantation shall not be more than 7.

$$\text{The Sturdiness Quotient} = \frac{\text{The height of plant (cm)}}{\text{The collar diameter (mm)}}$$

- f) All the live stumps and pollards having girth at ground level  $\leq 90$  cm and having coppicing properties present in this CA area shall be dressed from the ground level and girthwise record shall be kept.
  - g) The CA plantation shall be taken place before end of 2021 monsoon.
- 4. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the 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.
  - 5. The user agency shall deposit **Rs. 28,94,392/-** for CA in CAMPA fund, New Delhi.
  - 6. **Net Present Value (NPV):**
    - a) The State Government shall charge the Net Present Value(NPV) for the **0.25 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, 5-3/2007-FC dated 05/02/2009 and chapter 3 of handbook 2019 of F(C)A, 1980 & FC Rules 2003 in this regard and Chapter 04 of F(C) Act, Handbook 2019.
    - 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.
  - 7. No tree felling shall be involved in the implementation of this project.
  - 8. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (<http://parivesh.nic.in/>).
  - 9. The FRA certificate for proposed forest land shall be submitted before issuance of Stage-II approval.

**General Conditions:**

- 1. The speed governing signage at regular interval shall be erected along the road at regular interval in the forest area.

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2. The User Agency shall provide suitable under pass/over pass for free movement of wildlife in and around the forest area in accordance to *Eco friendly measures to mitigate impacts of linear infrastructure on wildlife (2016)*.
3. The State Government and user agency shall comply the provisions of the all 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.
4. Adequate no. of under pass with guided fencing will be provided for crossing of wildlife in consultation with the CWLW, Govt. of Madhya Pradesh.
5. The number and width of under passes (detailed design) shall be submitted to Regional office along with the compliance report of Stage-I approval.
6. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
7. The layout plan of the proposal shall not be changed without prior approval of Central Government.
8. No labour camp shall be established on the forest land.
9. 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.
10. 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.
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 lease to be granted in favour of the user agency or the project life, whichever is less.
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 Govt. of India.
15. All the conditions of State Forest Department/Local Forest rules shall be applicable in this project.
16. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per para 1.21 of FCAAct, 1980 Handbook 2019.
17. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
18. The compliance report shall be uploaded on e-portal (<https://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.

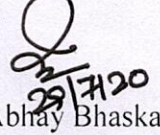
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Any order for transfer of forest land to user agency shall not be issued by the State Government till formal approval for diversion of forest land is issued by this office.

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


  
(B. Abhay Bhaskar)

Asstt. Inspector General of Forests (C)

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 Forest, Forest Division Indore, MP.
5. The Divisional Forest Officer, Social Forestry Division-Dhar, MP.
6. The Dy. Chief Engineer, Construction-II Indore Western Railway, Near Platform No. 1, Indore, Madhya Pradesh.
7. Order file.

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(B. Abhay Bhaskar)

Asstt. Inspector General of Forests (C)