



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
"केन्द्रीय पर्यावरण भवन"

"Kendriya Paryavaran Bhavan"

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No.6-MPC 010/2016-BHO/957

Dated : 29/09/2016

To,

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

Sub: Diversion of 36.110 ha Protected Forest land for construction of Duangarpur- Ratlam via Banswada BG Railway line in favour of Dy. Chief Engineer (Construction) North-Western Railway in Ratlam District of MP-reg.

- Ref: 1) APCCF (LM) and Nodal Officer, MP letter No. F-5/766/2016/10-11/1254 dated 09/06/2016.
2) This office letter No. 6-MPC 010/2016-BHO/210 dated 24/6/16.
3) APCCF (LM) and Nodal Officer, MP letter No. F-5/766/2016/10-11/1830 dated 30/08/2016.

Sir,

Kind attention is invited to the subject matter and reference cited above 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 19/09/2016 for issuance of in-principle approval. Therefore, the undersigned, on behalf of the Central Government, conveys **In-Principle Approval** for diversion of 36.110 ha Protected Forest land for construction of Duangarpur- Ratlam via Banswada BG Railway line in favour of Dy. Chief Engineer (Construction) North- Western Railway in Ratlam District of MP, subject to the following terms and conditions:-

1. Legal status of the forest land shall remain unchanged.
2. Forest land shall be handed over to the User Agency only after ensuring that the User Agency has got possession on non-forest land, if any, required for the project.

Diversion of 36.110 ha.



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3. Compensatory afforestation:

- a) Compensatory afforestation shall be taken up by the Forest Department over 36.11 ha non-forest land (26.18 ha, Survey No. 12, 13, 19, Village- Punapada, Tahsil- Sailana, District- Ratlam & 9.93 ha, Survey No. 42, Village- Patadi, Gram Van Samiti- Junapani, Tahsil- Sailana, Distrect- Ratlam) at the cost of the User Agency. As far as possible a mixture of local indigenous species shall be planted. No monoculture of any species shall be adopted.
- b) Non-forest land without any encroachments shall be made available.
- c) The non-forest land shall be transferred and mutated in favour of Forest Department before issue of the Stage-II clearance.
- d) The non-forest land which is transferred and mutated in favour of State Forest Department for the purpose of CA, shall be declared as Reserved Forest under the Indian Forest Act, 1927 and the Nodal Officer must report compliance within a period of six (6) months from the date of grant of stage-II approval under the Forest (Conservation) Act, 1980 for diversion of the said forest land and send a original notification of RF to the Central Government for confirmation and record.
- e) The land identified for the purpose of CA shall be clearly depicted on a Survey of India Toposheet of 1:50, 000. The bearing of each corner point and distances between successive points shall be recorded along with GPS reading of Geo-Coordinates (Latitudes & Longitudes).

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. NPV:

- a) The State Government shall charge the Net Present Value(NPV) for the 36.110 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 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.

Diversion of 36.110 ha.



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6. All the funds received from the user agency under the project shall be transferred to the Ad-hoc Compensatory Afforestation Fund Management & Planning Agency(CAMPA) in Saving Bank A/c No. SB 01025216 of Corporation Bank, Lodhi Complex, New Delhi-110003.
7. Project shall restrict the felling of trees upto 6398 numbers in the diverted forest land under strict control of the State Forest Department. The number of trees to be removed shall be kept at barest minimum during the execution of the project.
8. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
9. No labour camp shall be established on the forest land.
10. Sufficient firewood, preferably alternate fuel, shall be provided by the User Agency to the labourers after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
11. The boundary of the diverted forest land shall be demarcated on ground at the project cost.
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 earlier.
13. Relevant directions contained in various notifications issued by the Central Government under the provisions of the Environment (Protection) Act, 1986 and Environment (Protection) Rules, 1986 made thereunder and amended from time to time regarding use of fly ash shall be fully complied with.
14. Speed governing signages shall be erected along the road at regular intervals.
15. The layout plan of the proposal shall not be changed without prior approval of the Central Government.
16. The forest land shall not be used for any purpose other than that specified in the project proposal.
17. Muck disposal, if required, shall be taken up as per the scheme approved by the Forest Department.
18. Soil conservation measures, if required, shall be taken up by the user agency.
19. It will be the responsibility of the User Agency to ensure that the labourers and staff engaged in construction activity do not damage forest flora and fauna.
20. Proposed labour camps outside the forest area are to be dismantled and removed and the labourers shall be sent back immediately after the completion of the work.
21. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
22. 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.
23. 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.

Diversion of ...ha.



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24. The User Agency shall submit compliance report as on 1st January of every year to the Nodal Officer of the State.
25. The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 1st July of every year.
26. The User Agency and the State Government shall ensure compliance of the provisions of all the Acts, rules, regulations and guidelines for the time being in force as applicable to the project.

After receipt of compliance report on fulfillment of the condition Nos 3(b & c), 4, 5 & 6 from the State Government, proposal will be considered for final approval under Section - 2 of the Forest (Conservation) Act, 1980 by this office.

The 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.

Yours faithfully,

(B. Abhay Bhaskar)

Dy. Conservator of Forests(C)

Copy to :-

1. Dy. Secretary, ROHQ, , Govt. of India, Ministry of Environment, Forests and Climate Change, Prathvi Wing, 1st Floor,, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi - 110003.
2. The Addl. Principal Chief Conservator of Forests and Nodal Officer Govt. of M.P., Satpura Bhawan, Bhopal.
3. The Divisional Forest Officer, Forest Division Ratlam, District-Ratlam, MP.
4. The Dy. Chief Engineer (Construction) North-Western Railway Ratlam, District-Ratlam, MP.
5. Order file

Diversion of 3840 ha.



(B. Abhay Bhaskar)

Dy. Conservator of Forests(C)