

8-04/2022-FC

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**Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)**

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003
Dated: 23rd January, 2023

To,

The Principal Secretary (Forests),
Government of Madhya Pradesh,
Bhopal.

Subject: Diversion of 55.00 ha forest land under Forest (Conservation) Act, 1980 for relocation of Village Neelgarh from Ratapani Wildlife Sanctuary, District Raisen, Madhya Pradesh State (Online No. FP/MP/FVC/151576/2022) – regarding.


Madam/Sir,

I am directed to refer to the Government of Madhya Pradesh's letter No. F-5/1118/2022/10-11/1163 dated 29.03.2022 on the above mentioned subject, seeking prior approval of Central Government under Section – 2 (ii) of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid act. After careful consideration of the proposal by the Forest Advisory Committee (FAC) and with due approval of the Hon'ble Minister, Environment, Forest and Climate Change *Stage-I/ In principle* approval for the above mentioned proposal was granted vide this Ministry's letter of even no. dated 09.11.2022, subject to fulfillment of certain conditions.

In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Madhya Pradesh's vide letter No. F-5/1118/2022/10-11/165 dated 11.01.2023 and F-5/1118/2022/10-11/265 dated 18.01.2023, '**Stage-II/Final approval**' of the Central Government is hereby accorded under Section -2 (ii) of the Forest (Conservation) Act, 1980 for diversion of 55.00 ha of forest land under Forest (Conservation) Act, 1980 in Compartment No. PF-881, PF-882, RF-315 & RF-316 of Goharganj Range, Obedullaganj Forest Division, for relocation of Village Neelgarh from Ratapani Wildlife Sanctuary, District Raisen, Madhya Pradesh State, subject to the fulfillment of following conditions:

A: Conditions which need to be complied prior to handing over of forest land to user agency by the State Govt.:-


- The State Government shall ensure that the relocation package is implemented with due regard to specific court orders and Government norms in this regard;


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- ii. The State Government shall ensure that compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the relevant Rules and Guidelines issued by the MoEF&CC in this regard, before handing over of forest land to the user agency;
- iii. The State Govt. shall ensure that the boundary of the diverted forest land, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;
- iv. The State Government shall ensure that proposed forest land i.e. 55.00 ha shall be handed over to the user agency only when the user agency has acquired the required non-forest land, if any, for the project.


B: Conditions which need to be complied after handing over of forest land to the user agency by the State Govt.:-

- i. Legal status of the diverted forest land may be changed to non-forest land by the State in accordance with Hon'ble Supreme Court order dated 28.01.2019 in IA No. 3924 of 2015 in WP(C) 202/1995 and Ministry's Guidelines dated 20.05.2019;
- ii. The State Government shall ensure that the area under the Neelgarh Village becomes inviolate and no families are left within this village for further relocation;
- iii. The State Government shall take effective steps to ensure that the villagers who are relocated do not return to the area;
- iv. The State Government shall ensure that the land vacated in the protected area due to relocation of Village will be developed as per approved Wildlife Management Plan/NTCA Guidelines;
- v. The State Government shall ensure that no fragmentation of forests should take place due to the relocation project;
- vi. The State Govt. shall ensure that the details of relocation shall be provided to the NTCA for onward legal action/ compliance in IA No. 3924 of 2015 in WP(C) 202/1995;
- vii. No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- viii. The State Govt. shall ensure that as far as possible naturally growing trees are retained along the roads, in the school, other Government / public utility complexes around the boundaries of the proposed village, as natural groves;
- ix. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under the supervision of the State Forest Department;
- x. The State Govt. shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal;
- xi. The State Govt. shall ensure that no damage to the flora and fauna of the adjoining area shall be caused;
- xii. The User Agency shall submit the annual self -compliance report in respect


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- of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year;
- xiii. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife;
 - xiv. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project;
 - xv. 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;
 - xvi. The State Government and user agency shall ensure compliance to all conditions stipulated in the Stage-I approval letter of even no. dated 09.11.2022 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, pertaining to this project for the time being in force, as applicable to the project.

Yours sincerely,


(Suneet Bhardwaj) 03/01/23

Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Madhya Pradesh, Bhopal;
2. The Regional Officer, Integrated Regional Office, MoEF&CC, Bhopal;
3. The Nodal Officer (FCA), Department of Forest, Government of Madhya Pradesh, Bhopal;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading on PARIVESH portal.