

Government of India  
Ministry of Environment, Forest and Climate Change  
(Forest Conservation Division)  
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Indira Paryavaran Bhawan,  
Jor Bagh Road, Aliganj,  
New Delhi - 110003.

Dated: 03<sup>rd</sup> March, 2021

To,  
The Principal Secretary (Forests),  
Department of Forests and Environment,  
Government of Madhya Pradesh,  
Bhopal.

**Sub: Diversion of 54.87 ha of Forest Land for construction of Hiran Medium Tank Project in favour of Water Resources Department, Jabalpur District of Madhya Pradesh State. (Online proposal No. FP/MP/IRRIG/20767/2016) - regarding.**

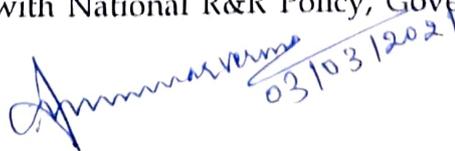
Madam/Sir,

I am directed to refer to the Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, Government of Madhya Pradesh letter No. F-3/79/2016/10-11/9/558 dated 18.02.2019 on the above mentioned subject, seeking prior approval of Central Government under Section-2(ii) of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted by the Central Government under Section-3 of the said Act, 'In-principle /Stage -I' approval to the proposal was accorded vide this Ministry's letter of even number dated 10.07.2019 subject to fulfilment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the in-principle approval and has requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, the Forest (Conservation) Act, 1980, Government of Madhya Pradesh vide letter No. F-3/79/2016/10-11/9/4179 dated 05.12.2020, letter No. F-3/79/2016/10-11/9/365 dated 21.01.2021 and letter No. F-3/79/2016/10-11/9/696 dated 16.02.2021 'Final/Stage-II approval' of the Central Government is hereby accorded under Section -2(ii) of the Forest (Conservation) Act, 1980 for diversion of 54.87 ha of Forest Land for construction of Hiran Medium Tank Project in favour of Water Resources Department, Jabalpur District of Madhya Pradesh State, subject to fulfilment of the following conditions:

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

- i. The User Agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India

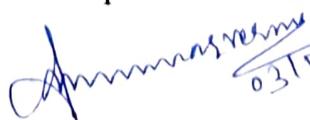
  
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before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF &CC along with indicators for monitoring and expected observable milestones;

- ii. The State Government shall ensure that all the compensations, as per the norms and rules of the State Government to the affected persons shall be paid prior to handing over of forest land to the User agency;
- iii. The State Government shall ensure that proposed forest land i.e. 54.87 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;
- iv. The State Government shall ensure the complete compliance of FRA, 2006; It should also be ensured that the FRA certificate issued by District collector is complete with letter number, date, name, signature and official seal, as required in the certificate;
- v. The State Government shall notify the non-forest land as Reserve Forest under Section-4 or Protected Forest under Section-20 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, before the Final/Stage-II approval of the proposal by the State Government;
- vi. The State Government 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 within a period of six months from the date of issue of this approval;
- vii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- viii. The State Government shall upload the KML files of the area under diversion and the accepted area for raising compensatory afforestation in the E-Green Watch portal of FSI, before handing over forest land to the user agency;

**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 forest land shall remain unchanged;
- ii. The State Government shall ensure immediate implementation of the Catchment Area Treatment (CAT) plan approved for this project;
- iii. The user agency shall ensure that forest area nearby shall not be encroached upon due to implementation of the project;
- iv. The user agency shall ensure that during lean season (in reservoir draw-down condition) the forest areas diverted for submergence will not be used for agriculture;
- v. The user agency shall ensure that water required for forestry activities in command area of the project will be provided to the State Forest Department free of charge;

  
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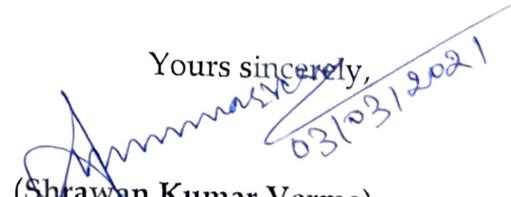
- vi. Effect of the change in water regime on forest vegetation shall be monitored by the State Forest Department through a reputed institute after 5 years, and report shall be shared with the Ministry;
- vii. The State Government shall ensure that no forest land is used for raising compensatory afforestation in lieu of non-forestry use of forest land in this proposal;
- viii. The State Government shall ensure that the minimum number of trees/plants/poles shall be removed but in any case not more than 1,569 and the trees should be felled under strict supervision of the State Forest Department;
- ix. The Compensatory Afforestation shall be taken up by the State Forest Department over 54.87 ha. at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and mono-culture of a species has to be avoided
- x. The user agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- xi. The State Government shall ensure that the forest land located between FRL and the FRL-4 meters shall be afforested by planting appropriate indigenous tree species;
- xii. The user agency shall take up afforestation activities all along the Reservoir / Dam / Canal in consultation with the Forest Department;
- xiii. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xiv. No labour camps shall be set up inside the forest area. Labour management plan should be implemented with emphasis that no labour camp be set up in the close vicinity of the eco-fragile and sensitive areas;
- xv. The sufficient firewood, preferably the alternate fuel, shall be provided by the user agency to the labour after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
- xvi. 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;
- xvii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xviii. 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;
- xix. No damage to the flora and fauna of the area shall be caused;
- xx. The forest land shall not be used for any purpose other than that specified in

  
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the project proposal;

- xxi. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area;
- xxii. 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;
- xxiii. The State Govt. shall ensure that the Compliance report of this approval is uploaded on e-portal (<https://parivesh.nic.in/>);
- xxiv. The 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 comprehensive guidelines issued vide this Ministry F. No.5-2/2017-FC dated 28<sup>th</sup> March, 2019;
- xxv. 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 shall be carried out by the State Government and User Agency; and
- xxvi. The State Government and User Agency shall ensure compliance of all conditions stipulated in the Stage-I approval letter dated 10.07.2019 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,

  
(Shrawan Kumar Verma)

Dy. Inspector General of Forests

Copy to: -

1. The Principal Chief Conservator of Forests & 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. The User Agency;
5. The Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading on PARIVESH portal.