

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003
Dated: As per E-sign

To,

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

Subject: Proposal for diversion of 72.00 ha of Forest Land for construction of Patpadi Tank Project in favour of Water Resources Department, Dewas District, Madhya Pradesh State (Online No. FP/MP/IRRIG/20556/201) - regarding.

Madam/Sir,

I am directed to refer to the Additional Principal Chief Conservator of Forests (Land Management) & Nodal Officer, FCA, Govt. of Madhya Pradesh's letter No. F-3/86/2018/10- 11/16/2126 dated 08.07.2020 on the above subject seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After careful examination and recommendation of the proposal by the Advisory Committee, constituted under Section-3 of the aforesaid act and with due approval of the competent authority *Stage-I/In-principle* approval for the above mentioned proposal was granted vide this Ministry's letter of even no. dated 02.03.2021 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 State Government vide letter No. F-3/86/2018/10-11/16/4009 dated 31.08.2023, letter No. F-3/86/2018/10-11/16/2390 dated 03.05.2024 and letter No. F-3/86/2018/10-11/16/3092 dated 12.06.2024 '**Stage-II/Final approval**' of the Central Government is hereby accorded under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 72.00 ha of Forest Land for construction of Patpadi Tank Project in favour of Water Resources Department, Dewas District, Madhya Pradesh State subject to fulfillment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. The State government will carry out adequate Soil and Moisture Conservation works in the catchment area (e.g. stop dams, sunken pits, contour trenches, percolation pits, etc.) so that the reservoir gets enough recharge of water and the irrigation efficiency is improved. These works would be in addition to the plantation proposed to be done under CA;
- iii. As a measure for lowering the dependence of local people on forest

extraction for livelihoods/ farmland fencing, etc. and allow the nearby degraded forests to regenerate, horticulture on farmers' lands will be promoted. Adequate number of saplings of fruit bearing species shall be raised and distributed to farmers in surrounding village by the forest department at the cost of the User Agency. Assistance under Sub-Mission on Agro-forestry of the Ministry of Agriculture and Farmers' Welfare, Govt. of India may also be taken;

- iv. The areas surrounding the proposed submergence zone supports a wide range of wild animals like hyena, jackal, langoor, fox, hare, blue bull, chinkara etc. Submergence of a large area and construction and maintenance activities will adversely impact the wildlife. The State government shall ensure that the Wildlife Management Plan (WLMP) for wildlife conservation shall be implemented for area around proposed area of diversion at the cost of the user agency;
- v. The user agency will ensure free water for the purpose of wildlife and forest management;
- vi. Compensatory Afforestation shall be raised over identified non-forest land 72.00 ha (which has been notified, as Protected Forest under the relevant provisions of the Indian Forest Act-1927 by the State Government against this proposal vide notification no. FOR/9/0010/2022/10-3 dated 12.09.2022) and the work of compensatory afforestation shall start within two years with effect from the date of issue of Stage-II approval and maintained thereafter in accordance with the approved Plan in consultation with the Forest Department 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;
- vii. 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;
- viii. The State Government shall ensure that the user agency implements the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India 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;
- ix. The State Government shall ensure that proposed forest land i.e. 72.00 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;
- x. The User agency shall obtain the Environment Clearance as per the provisions of the Environment (Protection) Act, 1986, if required;
- 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 undertake afforestation along the periphery of the reservoir;
- xiii. The User agency shall provide free water for the forestry related projects;
- xiv. Layout plan of the proposal shall not be changed without the prior approval of

- the Central Government;
- xv. No construction of buildings / labour camp/huts shall be allowed on the forest land;
 - xvi. The forest land shall not be used for any purpose other than that specified in the proposal and under no circumstances be transferred to any other agency, department or person;
 - xvii. User agency in consultation with the State Forest Department shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
 - xviii. The user agency shall provide 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;
 - xix. Boundary of the forest land proposed to be diverted shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing, distance from pillar to pillar and GPS co-ordinates;
 - xx. The State Government shall maintain the character of the projects as an irrigation project and to ensure continued benefit to the farmers in the command area, no more diversion of water from the project for industrial projects will be permitted in future;
 - xxi. The user agency shall submit the annual self-compliance report in respect of the above conditions to the State Government, concerned Regional Office and this Ministry by the end of March of every year regularly;
 - xxii. 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 with by the State Government and user agency;
 - xxiii. 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;
 - xxiv. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Consolidated Guidelines and Clarifications on Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter dated 29.12.2023;
 - xxv. The State Government and user agency shall ensure compliance to all conditions stipulated in the 'Stage-I/In-principle' approval letter dated 02.03.2021 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, or the time being in force, including compliance of the Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006, before handing over the forest land to the user agency.

Yours sincerely,

(Dr. Dheeraj Mittal)
Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Madhya Pradesh, Bhopal;
2. The Dy. DGF (Central), 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.