

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

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj
New Delhi – 110003,
Dated: 26th October, 2021

To

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

Sub: Proposal for diversion of 16.268 ha. of forest land in favour of Industrial Center Development of Corporation, Bhopal for regularization of already existing Mandideep Industrial Area under Forest Division Obedullahganj District Raisen, Madhya Pradesh (Online Proposal No. FP/MP/IND/29027/2017) Reg.

Madam/Sir,

I am directed to refer to Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, Forest (Conservation) Act, 1980, Government of Madhya Pradesh's letter No. No. F-5/819/2018/10-11/1312 dated 07.05.2018 on the subject mentioned above, 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 for the proposal was granted by this Ministry's letter of even number dated 02.11.2018 subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the **In-principle/Stage-I** approval and has requested the Central Government to accord **Final/Stage-II** approval.

In this connection, I am directed to say that on the basis of the compliance report furnished by Addl. Principal Chief Conservator of Forests (Land Management) and Nodal Officer, the Forest (Conservation) Act, 1980, Government of Madhya Pradesh vide their letters No. F-5/819/2018/10-11/1604 dated 29.05.2020, letter No. F-5/819/2018/10-11/2119 dated 08.07.2020, letter No. F-5/819/2018/10-11/2378 dated 30.07.2020, letter No. F-5/819/2018/10-11/3014 dated 07.09.2021 and letter No. F-5/819/2018/10-11/3470 dated 21.10.2021 '**Final /Stage-II approval**' of the Central Government is hereby accorded under Section-2(ii) of the Forest (Conservation) Act, 1980 for diversion of 16.268 ha. of forest land in favour of Industrial Center Development Corporation, Bhopal for regularization of already existing Mandideep Industrial Area under Forest Division Obedullahganj District Raisen, Madhya Pradesh, subject to fulfillment 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 Rehabilitation & Resettlement (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;

- 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 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 diverted forest land shall remain unchanged;
- ii. The Compensatory Afforestation shall be done over equivalent non-forest land (NFL), in Village Kharkhari of Sagar District of Madhya Pradesh *which has already been notified under the relevant provisions of India Forest Act-1927 vide notification no. F-25-46-2021-X-3 dated 16.07.2021 by the State Government.* The Compensatory Afforestation shall be carried out within a period of three years with effect from the date of issue of Stage-II clearance and maintained thereafter in accordance with the approved plan at the cost of the user agency. At least 1000 saplings per hectares shall be planted over 16.268 ha. (16,268 plants). If this is not possible to plant these many seedlings in the identified NFL, the balance seedlings will be planted in degraded forest land as per the prescriptions of the Working Plan at the cost of the User agency;
- iii. In the notification dated 16.07.2021, the state government has linked the 16.5 ha NFL notified under the provisions of IFA with another proposal of 197.93 ha forest land affected due to Mandideep Industrial area. The State Government shall rectify this error within a period of six (06) months and send a copy of the notification to this Ministry for information and record;
- iv. 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;
- v. The State Govt. shall ensure that the User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- vi. Felling of trees on the forest land being diverted, shall be reduced to the bare minimum and the trees should be felled under strict supervision of the State Forest Department;
- vii. 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 strict supervision of the State Forest Department;
- viii. 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;
- ix. 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


26/10/21

pillar and GPS coordinates;

- x. No damage to the flora and fauna of the adjoining area shall be caused;
- xi. 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.;
- xii. The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Integrated Regional Office and to this Ministry by the end of March every year regularly;
- xiii. The User Agency and the State Government shall ensure compliance of provisions of the all Acts, Rules, Regulations, Guidelines, relevant Hon'ble Court Order (s) and National Green Tribunal (NGT) Order(s), if any, pertaining to this project for the time being in force, as applicable to the project;
- xiv. 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 28th March, 2019;
- xv. 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;
- xvi. The State Government and User Agency shall ensure compliance of all conditions stipulated in the Stage-I approval letter dated 20.12.2017 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)

Assistant Inspector General of Forests

Copy to:

1. The P.C.C.F & 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.