

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

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**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: Diversion of 55.3 ha of forest land for construction of Parna Minor Irrigation Project, in favour of Water Resources Department, Damoh District, Madhya Pradesh State (Online No. FP/MP/IRRIG/30441/2017) -regarding.**

Madam/Sir,

I am directed to refer to the Additional Principal Chief Conservator of Forests (Land Management) & Nodal Officer, Government of Madhya Pradesh's letter No. F-3/86/2017/10-11/12/1188 dated 01.05.2018 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 29.08.2018 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 Additional Principal Chief Conservator of Forests (Land Management) & Nodal Officer, Government of Madhya Pradesh vide letter no. F-3/86/2017/10-11/12/2076 dated 14.06.2022, letter no. F-3/86/2017/10-11/12/2217 dated 24.04.2024, letter no. F-3/86/2017/10-11/12/5019 dated 26.09.2024 and letter no. F-3/86/2017/10-11/12/5499 dated 06.11.2024 '**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 55.3 ha of forest land for construction of Parna Minor Irrigation Project, in favour of Water Resources Department, Damoh 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 Govt. shall ensure that no tree felling shall be allowed. The tree shall be allowed to be retained in the submergence area, however

- the cost of trees enumerated in the area proposed for diversion shall be deposited as per existing procedure;
- iii. The Compensatory Afforestation shall be done over equal non-forest land (NFL) to the forest area proposed to be diverted 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 in consultation with the State Forest Department at the cost of the user agency. At least 1000 saplings per hectares shall be planted over 55.3 ha. (55300 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. In such case CA cost will be revised and duly approved by competent authority and deposited online in the CAF managed by CAMPA;
  - iv. The non-forest land transferred and mutated in favour of the State Forest Department for raising Compensatory Afforestation shall be notified Protected Forest under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act. The Nodal officer must report compliance within a period of 6 month from the date of grant of final approval and send a copy of the notification declaring the non-forest land under Section 29 of the Indian Forest Act,1927, or under the relevant section of the local Forest Act as the case may be, to this Ministry for information and record;
  - v. The State Government has realized the NPV of the forest area diverted under this proposal from the User Agency, as per the orders dated 28.03.2008, 24.04.2008 and 09.05.2008 passed by the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 202/1995 and the guidelines given under para 3 of the Chapter -3 of the Consolidate Guidelines and Clarifications issued under the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 published by the Ministry on 29.12.2023, 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;
  - vi. The State Govt. shall ensure that the Wildlife Conservation Plan for area shall be implemented for which the User Agency has deposited an amount of Rs. 75,64,000/- in CAMPA account;
  - vii. The State Government shall ensure that under no circumstances, implementation of such mitigating measures envisaged in Wildlife Conservation Plan should be delayed beyond a period of 2 years from the date of issue of final approval under the Adhinyam to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time;
  - viii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
  - ix. The State Government shall ensure that the forest land located between FRL and the FRL-4 meters may be afforested by planting appropriate indigenous tree species;
  - x. The User Agency shall carry out muck/slit disposal at pre-designated

- sites in such a manner so as to avoid its rolling down;
- xi. The dumping area for muck/slit disposal shall be stabilized and reclaimed by planting suitable species by the user agency at the cost of project under the supervision of State Forest Department. Retaining walls and terracing shall be carried out to hold the dumping materials in place. Stabilization and reclamation of such dumping sites shall be completed before handing over the same to the State Forest Department in a time bound manner as per plan;
  - 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 labour camp/huts shall be established 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. 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;
  - xviii. 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;
  - xix. 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;
  - xx. 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;
  - xxi. 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;
  - xxii. Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
  - xxiii. 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;
  - xxiv. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 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) Adhinyam, 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 of even no. dated 29.08.2018 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, for 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;
- xxvi. As per Sub-rule 7 of Rule 11 of Van (Sanrakshan Evam Samvardhan) Rules, 2023 the State Govt. after receiving the 'Final' approval of the Central Government under sub-section (1) of section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and after fulfilment and compliance of the provisions of all other Acts and rules made thereunder, as applicable including ensuring settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007), shall issue order for diversion of forest land.

Signed by Suneet Bhardwaj

Date: 12-11-2024 15:02:25

Yours sincerely,

Sd/-

(Suneet Bhardwaj)

**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, 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;
6. The National Authority, CAMPA, New Delhi for information.