

F. No. 8-8/2016-FC
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi - 110003

Dated: 21 April, 2017

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

Sub: Proposal for diversion of 968.24 hectares of forest land in favour of National Water Development Agency, Ashoknagar and Shivpuri District for construction of Lower Orr Major Irrigation Project, Madhya Pradesh.

Sir

I am directed to refer to the State Government's letter No. F-3/50/2014/10-11/15/886 dated 25.04.2016 submitting the above subject proposal for prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980. The said proposal was placed before Forest Advisory Committee (FAC) in its meeting held on 30th March, 2017. The detailed minutes of the FAC meeting held on 30th March, 2017 is placed on the website of this Ministry: www.forestclearance.nic.in. After careful consideration and discussion on the facts placed and report of Sub-committee of FAC vide dated 21.03.2017 before FAC and submission of the representatives of the NWDA and State Government, the FAC recommended that -

1. All recommendations of the sub-committee of FAC are accepted. Which are reproduced below:

- i. This project is standalone project and seems to have no direct link with the Ken basin. The project submerges about 966 hectare of forest land all along the bottom of the surrounding hills which does not support much vegetation and is not critical habitat of wild animals. It was observed that the Karera wildlife sanctuary of Great Indian Bustard (GIB) is situated far away and the same is not affected by the construction of Lower Orr dam and its command area.
- ii. In this project 968.24 ha of forest land is being affected, land equal to double in extent that is 1939 ha of degraded forest land is proposed to be provided for Compensatory afforestation. For proposed CA 30 patches have been identified in Ashok nagar Division and 11 patches in Shivpuri Division.
- iii. The Committee has observed that the FCA guidelines 3.2(ix) which is described below:-
 - a. *"The provisions of the above guideline would be applicable to only central Sector projects and not on State Sector Projects, which are being undertaken by Central PSU's on turnkey basis. In such cases, Compensatory Afforestation on equivalent non-forest land/ a certificate of Chief Secretary regarding non-availability of equivalent non-forest land anywhere in the state shall be insisted upon."*

- iv. In the above cases Committee feel that NWDA is a national authority which is working as turnkey basis. In this backdrop the above clarification the CA is being insisted by the Committee on equivalent non-forest land.
- v. The FAC took note of the letter no. F 3 /50/2014/10-11/15/2380 dated 5.11.2016 received from State Government Of Madhya Pradesh that the project Lower Orr is a stand-alone project which has no relation with Ken – Betwa Link project. This fact was also reiterated by the representative of State Government the Principal Secretary (WRD) that this may be treated as stand-alone project. Regarding land for compensatory afforestation (CA) it was stated that state was willing to provide equal area of revenue land (Non -forest land) in extent of proposed diversion and transfer the same to the State Forest department under FCA provisions.
2. An equal area of non -forest land towards proposed diversion of forest land (968.24 ha.) may be identified for Compensatory Afforestation and transfer & mutated in favour of State Forest Department.
3. The FAC recommends the above proposal for approval under section 2(ii) of FC Act subject to General and Standard condition pertaining to the irrigation project. However, the file shall be put up on receipt of compliance of para 2 above.

In view of above, the State Govt. of Madhya Pradesh may be requested to identify an equal area of non -forest land towards proposed diversion of forest land of 968.24 ha. for Compensatory Afforestation purpose and transfer & mutate in favour of State Forest Department. The details of identify CA scheme may be submitted with suability certificate and shape/KML file for further consideration of the proposal in this Ministry.

Yours faithfully,

(Nisheeth Saxena)

Sr. Assistant Inspector General of Forests (FC)

Copy to:

1. The Principal Chief Conservation of Forests, Government of Madhya Pradesh, Bhopal.
2. The Nodal Officer (FCA), O/o the PCCF, Government of Madhya Pradesh, Bhopal.
3. APCCF, Regional Office (Western Zone), Bhopal.
4. User Agency.
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi
6. Guard File.

(Nisheeth Saxena)

Sr. Assistant Inspector General of Forests (FC)

o/c. *issued*
25/4/17