

F. No. 8-112/2008 - Fc  
Government of India  
Ministry of Environment and Forests  
(F.C. Division)

Paryavaran Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi - 110 003.  
Dated: 19<sup>th</sup> August, 2011

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

Sub: Diversion of 74.236 ha of forest land for construction of wind power project in Shajapur Forest Division (partial area of compartment no. p. 14 to p - 18 and RF 19) in favour of M/s Enercon India Limited in Madhya Pradesh.

Sir,

I am directed to refer to Government of Madhya Pradesh's letter No. F-4/16/08/10-11/Vidhyut/2725 dated 19.12.08 on the above mentioned subject, wherein prior approval of the Central Government for the diversion of 74.236 ha of forest land for construction of wind power project in Shajapur forest division (partial area of compartment no. p. 14 to p - 18) and RF 19 in favour of M/s Enercon India Limited in Madhya Pradesh, was sought, in accordance with Section 2 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 approval for the said diversion was granted vide this Ministry's letter of even number dated 27.02.2009 read with corrigendum of even number dated 13.03.2009. 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 State Government of Madhya Pradesh vide letter No. F-4/16/12/08/ 10-11/Vidhyut/ 4107 dated 22.12.2010, No. F-4/ 16/12/2008 /10-11/594 dated 24.02.2011 and No. F-4/16/12/2008/10-11/2047 dated 08.07.2011, final/stage-II approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 74.236 ha of forest land for construction of wind power project in Shajapur Forest Division (partial area of compartment no. p. 14 to p - 18) and RF 19 in favour of M/s Enercon India Limited in Madhya Pradesh, subject to fulfillment of the following conditions:-

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory Afforestation shall be raised and maintained over equivalent area of non-forest land (i.e. 74.236 ha) transferred and mutated in favour of the State Forest Department from the funds already provided by the user agency;
- (iii) The non-forest land so identified for raising Compensatory Afforestation shall be notified as Reserve forest /Protected Forest under the provisions of the Indian Forest Act, 1927, or

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of the concerned local Act by the State Government. The Nodal Officer (Forest Conservation) shall report compliance in this regard, within six months.

- (iv) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India shall be charged by the State Government from the User Agency.
- (v) The User Agency shall take all possible measures for the protection of forests and wildlife in the adjacent forest area. in consultation with the State Forest Department;
- (vi) The State Government shall charge the cost of developing medicinal plants garden wherever feasible in 65-70% lease out area and soil conservation work at the User Agency's cost;
- (vii) The User Agency shall demarcate the project area by creating Cairns (60 cm high) with available stones and indicate the marking of forward and backward bearings on these Cairns;
- (viii) After the construction of the approach road as per the Project Plan, these Cairns shall be substituted by four feet high RCC pillars at the project cost indicating on each pillar the forward and back bearings as well as distance between the adjacent pillars;
- (ix) The vane tips of the wind turbine shall be painted with orange colour to avoid bird hits;
- (x) The lease period shall be for a period of 30 years;
- (xi) Any tree felling shall be done only when it is unavoidable, and that too under strict supervision of the State Forest Department and at the cost of the project;
- (xii) The free movement of the local villagers, if any, within and surrounding area shall be ensured;
- (xiii) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xiv) The user agency shall submit the annual self-monitoring report indicating status of compliance to each of the conditions stipulated in the approval, to the concerned Regional Office of the Ministry;
- ~~(xv)~~ User Agency shall comply with all conditions stipulated by the State Government of Maharashtra at the time of submission of the proposal to the Central Government;
- (xvi) Other standard conditions in vogue as per this Ministry's guidelines for Wind Power projects shall also be applicable in the instant case;

Yours faithfully,



(H.C. Chaudhary)

Assistant Inspector General of Forests