



भारत सरकार

Government of India

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

Ministry of Environment, Forest & Climate Change

एकीकृत क्षेत्रीय कार्यालय, जयपुर

Integrated Regional Office, Jaipur



केंद्र कार्यालय, केन्द्रीय भवन, पंचम तल, सेक्टर-एल, अलिगंज, लखनऊ-226024
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पत्रांक: 8बी/राज./08/30/2020/एफ0सी0/72

दिनांक : 04.02.2021

सेवा में,

शासन सचिव (वन)
राजस्थान सरकार
सिविल सचिवालय
जयपुर।

Online Proposal No. FP/RJ/Water/36565/2018

विषय: Diversion of 2.0467 ha of forest land in favour of Public Health Engineering Department for balance work of cluster scheme of 315 villages of Mandalgarh, Bijoliya and Jahajpur Tehsil along with Augmentations of UWSS of Mandalgarh and Bijoliya Towns from Aroli Headworks under Chambal-Bhilwara Water Supply Project Phase-II, Package-VIII of district Bhilwara.

सन्दर्भ: आपका पत्रांक प.1(50)वन/2020 पार्ट, जयपुर, दिनांक 30.12.2020.

महोदय,

उपरोक्त विषयक शासन सचिव, जयपुर के पत्र संख्या प.1(50)वन/2020, दिनांक 03.07.2020 का आशय ग्रहण करने का कष्ट करें, जिसके द्वारा विषयांकित प्रस्ताव पर वन(संरक्षण) अधिनियम, 1980 की धारा (2) के अन्तर्गत भारत सरकार की स्वीकृति माँगी गयी थी।

प्रश्नगत प्रकरण में इस कार्यालय के समसंख्यक पत्र दिनांक 18.08.2020 द्वारा विभिन्न बिन्दुओं पर चाही गयी जानकारी उपरोक्त संदर्भित पत्र द्वारा प्रेषित की गयी है। प्रस्तुत अनुपालना के परीक्षणोपान्त मुझे आपको यह कहना है कि केन्द्र सरकार उपरोक्त विषयांकित परियोजना हेतु 2.0467 हे० वनभूमि के प्रत्यावर्तन एवं 228 वृक्षों (26 पोल्स, 202 वृक्ष) के पातन की सौद्वान्तिक स्वीकृति निम्नलिखित शर्तों पर प्रदान करती है:-

1. Legal status of the forest land shall remain unchanged.
2. Forest land will be handed over only after required non-forest land for the project is handed over to the user agency.
3. Compensatory afforestation shall be taken up by the Forest Department over 2.0467 ha non-forest land (Compartment/Khasra/Survey No. 763, 774, 875, 912, village-Rajpura, Tehsil-Asind, District-Bhilwara) at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
4. The non-forest land has to be transferred and mutated in favour of the State Forest Department.
5. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
6. The State Government shall charge the Net Present Value (NPV) for the 2.0467 ha. forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.
7. 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 on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.

8. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
9. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
10. The pipeline shall be laid down 1.5 meter below the ground and after laying down of pipe line the ground will be leveled.
11. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
12. The layout plan of the proposal shall not be changed without prior approval of Central Government.
13. No labour camp shall be established on the forest land.
14. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
15. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
16. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
17. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
18. The forest land shall not be used for any purpose other than that specified in the project proposal.
19. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
20. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
21. 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.
22. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal.
23. DFO should submit a certificate, certifying that no work has been executed in violation of FCA in the said proposal.
24. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of compliance report on fulfillment of all of the above conditions from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980, by this office.

The order for transfer of forest land to user agency shall not be issued by the State Government till final approval order for diversion of forest land is issued by Government of India.

भवदीया,

(प्राची गंगवार)

उप वन महानिरीक्षक (केन्द्रीय)/
क्षेत्रीय अधिकारी, जयपुर

प्रतिलिपि (ई-मेल द्वारा):-

1. अपर प्रधान मुख्य वन संरक्षक एवं गोडल अधिकारी, राजस्थान वन विभाग, अरण्य भवन झालना इंस्टीट्यूशनल एरिया, जयपुर।
2. उप वन संरक्षक, भीलवाड़ा वन मण्डल, भीलवाड़ा, राजस्थान।
3. अधिशासी अभियंता, लोक स्वास्थ्य अभियांत्रिकी विभाग परियोजना खण्ड, परियोजना क्षेत्र-1, बापू नगर, भीलवाड़ा, राजस्थान।
4. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, एकीकृत क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आदेश पत्रावली।

Pw 04.02.2021
(प्राची गंगवार)

उप वन महानिरीक्षक (केन्द्रीय)/
क्षेत्रीय अधिकारी, जयपुर