



Ref. No. RDSA/Mines/21-22/18

Date:- 22-11-2021

श्रीमान,  
उप वन संरक्षक महोदय  
प्रतापगढ़ (राजस्थान)

विषय:- Diversion of 10.4162 Ha. Forest Land in Favour of RDSA MINING LLP for Opencast Marble Mining in Revenue Village- Kelamela, Tehsil- Pipalkhunt, Dist- Pratapgarh, Rajasthan ( Proposal no- FP/RJ/MIN/142600/2021)

सन्दर्भ- आपका पत्र क्रमांक:-एफ./तक/उवसं/2021-22/8533 दिनांक 15.11.2021

महोदय,

उपरोक्त विषयान्तर्गत निवेदन है कि संदर्भित पत्र द्वारा प्रकरण में वर्णित कमियों को पूर्ति करते हुए निम्नानुसार बिन्दुवार प्रत्युत्तर प्रस्तुत है।

1. प्रकरण में क्षतिपूरक वृक्षारोपण हेतु गैर वन भूमि का चयन कर लिया गया है। यथाशीघ्र जिला कलक्टर महोदय द्वारा आवश्यक प्रक्रिया पूर्ण कर आप के निरीक्षण एवं अनुमोदन के उपरांत सेट अपार्ट किये जाने की कार्यवाही सम्पादित की जायेगी।
  2. प्रत्यावर्तन प्रकरण का प्रारम्भ में एक सेट आपको एवं एक सेट जिला कलक्टर महोदय को प्रस्तुत किया जा चुका है। 5 अतिरिक्त सेट संलग्न प्रस्तुत है।
  3. प्रकरण के पार्ट-ए को अधोहस्ताक्षरकर्ता द्वारा प्रमाणित कर दिया गया है।
  4. क्षेत्रफल गणना को खनिज अभियन्ता प्रतापगढ़ से प्रमाणित करा लिया गया है।
  5. वनाधिकार अधिनियम के तहत जिला कलक्टर द्वारा जारी किये जाने वाले पत्र के सम्बन्ध में कृपया Govt. Of India MOEF & CC ( FC Division) द्वारा राज्य सरकारो को जारी पत्र File No.11-43/2013- FC Dated 26-02-2019 (प्रति संलग्न) का अवलोकन करावेँ जिसके अन्तिम पेरा में स्पष्ट किया गया है कि It is clarified that within the time period stipulated for compliance of stage-I condition, Deputy commissioner shall complete the process of compliance of FRA ( including forwarding its finding to the concerned CF ). Hence for the purpose of the MoEF&CC, as per the provision under Forest (conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in - principle approval. This has to be furnished by the state Govt. for considration of the proposal by the ministry for final approval.
- अर्थात सैद्धान्तिक स्वीकृति हेतु प्रकरण अग्रेषित करने के लिये उक्त पत्र प्रस्तुत किया जाना आवश्यक नहीं है, बल्कि सैद्धान्तिक स्वीकृति के बिन्दुओं की पालना के कम में अन्तिम स्वीकृति हेतु उक्त पत्र प्रस्तुत किया जाना आवश्यक है। यद्यपि उक्त पत्र के संन्दर्भ में आवश्यक कार्यवाही पूर्ण कर मुख्य वन संरक्षक उदयपुर को पत्र जारी करने हेतु जिला कलक्टर महोदय प्रतापगढ़ को निवेदन किया जा चुका है जिसकी कार्यवाही प्रगतिरत है।
6. खसरा मानचित्र की स्पष्ट छाया प्रति संलग्न प्रस्तुत है।
  7. जी टी शीट को अधोहस्ताक्षरकर्ता द्वारा प्रमाणित कर दिया गया है।
  8. प्रत्यावर्तन हेतु प्रस्तावित वन भूमि को राजस्व मानचित्र पर जियो रेफरेंस करके खसरा अनुसार चिह्नित कर KML फाईल मय जियो रेफरेंस मानचित्र सी डी में पृथक से संलग्न प्रस्तुत है।
  9. खनन लीज की डिलिनिवेट रिपोर्ट अधोहस्ताक्षरकर्ता द्वारा प्रमाणित कर दी गयी है।

**RDSA MINING LLP**

  
(V.K. GHIYA)  
Chief Executive Officer

(The LLP is Registered with Limited Liability)

भवदीय

  
मुख्य कार्यकारी अधिकारी  
RDSA MINING LLP

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

Indira Paryavaran Bhawan  
Jor Bagh Road, Aliganj  
New Delhi-110003

Dated: <sup>26<sup>th</sup> February</sup> ~~January~~, 2019

To,  
The Principal Secretary/Secretary (Forests)  
All States/UTs Governments

**Sub: Compliance of the Schedule Tribes and Other Traditional Forest Dwellers  
(Recognition of Forest Rights) Act, 2006-regarding**

Sir,

I am directed to refer to Forest (Conservation) amendment Rules 2016 as amended on 06th March, 2017 wherein inter-alia it has been provided that:

(e) *the District Collector shall*

(i) *complete the process of recognition and vesting of forest rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) for the entire forest land indicated in the proposal.*

(ii) *obtain consent of each Gram Sabha having jurisdiction over the whole or a part of the forest land indicated in the proposal for the diversion of such forest land and compensatory and ameliorative measures, if any, having understood the purposes and details of diversion, wherever required; and*

(iii) *forward his findings in this regard to the Conservator of Forests*

(f) *the entire process referred to in clause (e) shall be completed by the District Collector within the time period stipulated in these rules for grant of in-principle approval under the Act to the proposal.*

(g) *the Conservator of Forests shall examine the factual details and feasibility of the proposal, carry out site inspection in case the area of forest land proposed to be diverted is more than forty hectares, and forward the proposal along with his recommendations to the Nodal Office.*

I am also directed to refer to references/communications received from various State Governments seeking clarification on whether FRA certificate is to be submitted before Stage-II compliance or it has been submitted along-with proposal for seeking Stage-I approval.

It is clarified that within the time period stipulated for compliance of stage-I

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condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to the concerned CF). Hence for the purpose of the MoEF&CC, as per the provision under Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the state Govt. for consideration of the proposal by the ministry for final approval.

In view of the above, the State Governments are requested to adhere the provisions contained in Forest (Conservation) Amendment Rules, 2016 for FRA purpose while forwarding the proposal for seeking prior approval under Section 2 of Forest(Conservation) Act,1980 to this Ministry for consideration.

Yours faithfully,

(Shrawan Kumar Verma)  
Dy. Inspector General of Forests

Copy to:

1. Prime Minister's Office
2. Secretary, Ministry of Mines, Government of India
3. Secretary, Ministry of Coal, Government of India
4. Secretary, Ministry of Petroleum and Natural Gas, Government of India
5. Principal Chief Conservator of Forests, all State/UT Governments
6. Nodal Officer, the Forest (Conservation) Act, 1980, all State/ UT Governments
7. All Regional Offices, Ministry of Environment, Forest and Climate Change (MoEF&CC), GoI.
8. Joint Secretary in-charge, Impact Assessment Division, MoEF&CC, GoI
9. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEF&CC, GoI/Director, ROHQ, MoEF&CC, GoI/TO(FC)/TO(RoHQ).
10. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the letter on website of this Ministry.
11. Sr. PPS to the Secretary, MoEF&CC
12. Sr. PPS to the Director General of Forest & Special Secretary, MoEF&CC, GoI
13. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEF&CC, GoI.

Yours faithfully,

(Shrawan Kumar Verma)  
Dy. Inspector General of Forests

O/C

12/3/19