



भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
क्षेत्रीय कार्यालय (मध्य)

Ministry of Environment, Forest and Climate Change
Regional Office (Central Region)



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दिनांक: 27.12.2019

पत्र सं० 8बी/राज०/०६/३६/२०१९/एफ.सी./५५९

सेवा में,

शासन सचिव (वन),
सिविल सचिवालय,
राजस्थान सरकार,
जयपुर, राजस्थान।

Online Proposal No: FP/RJ/Road/20390/2019

विषय: Diversion of 1.63 ha forest land in favour of Public Works Department, Rishabdev, Udaipur for construction of road from Nal to Dungra in Udaipur. .

सन्दर्भ: शासन सचिव(वन), राजस्थान का पत्रांक-प.1(54)वन/२०१९, जयपुर, दिनांक 20.11.2019.

महोदय,

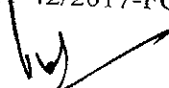
उपरोक्त विषयक शासन सचिव, वन विभाग, जयपुर, राजस्थान के संदर्भित पत्र का आशय ग्रहण करने का कष्ट करें, जिसके द्वारा विषयांकित प्रस्ताव पर वन (संरक्षण) अधिनियम, 1980 की धारा (2) के अन्तर्गत भारत सरकार की स्वीकृति माँगी गयी थी।

प्रस्तुत प्रस्ताव पर विचारोपरान्त मुझे आपको यह सूचित करने का निर्देश हुआ है कि केन्द्र सरकार उपरोक्त विषयांकित प्रकरण हेतु 1.63 हे० संरक्षित वनभूमि के प्रत्यावर्तन, बिना वृक्षों के पातन, की सैद्धान्तिक 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 1.63 ha. equivalent Non-forest land of Compartment/Survey No.4198, 4226, Village-Somawat, Tehsil- Udaipur, District- Udaipur at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided.
4. Non-Forest land has to be transferred & mutated in favour of State Forest Department.
5. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme for plantation of 1000 plants/ha. as per FCA guidelines 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. Revised CA scheme to include 1000 plants/ha. shall be submitted by the State Forest Department.
7. The State Government shall charge the Net Present Value(NPV) for the 1.63 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.

8. 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.
9. 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.
10. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through *e-portal* (<https://parivesh.nic.in/>).
11. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
12. User agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms.
13. Muck disposal plan shall be provided by the user agency.
14. NPV calculation shall be provided by the user agency.
15. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
16. The layout plan of the proposal shall not be changed without prior approval of Central Government.
17. No labour camp shall be established on the forest land.
18. 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.
19. 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.
20. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
21. 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.
22. The forest land shall not be used for any purpose other than that specified in the project proposal.
23. 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.
24. 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.



25. 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.
26. No violation certificate from concerned DFO shall be provided.
27. Compliance of clause 11.2 of FCA guidelines shall be ensured and in no case, forest land shall be used for non-forestry purpose till final approval is granted.
28. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

उपरोक्त शर्तों की पूर्ण अनुपालन आख्या प्राप्त होने के उपरान्त ही केन्द्र सरकार द्वारा प्रकरण में विधिवत स्वीकृति जारी की जायेगी।


भवदीय,

(वी०के० सिंह)

उप महानिदेशक (केन्द्रीय)

प्रतिलिपि सूचनार्थ एवं आवश्यक कार्यवाही हेतु :-

1. अपर वन महानिदेशक (एफ.सी.), पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोरबाग रोड, नई दिल्ली-110003.
2. निदेशक (आर०ओ०एच०क्यू०), पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोरबाग रोड, नयी दिल्ली-110003.
3. अपर मुख्य वन संरक्षक (वन संरक्षण) एवं नोडल अधिकारी, वन विभाग, अरण्य भवन, झालाना इंस्टिट्यूशनल एरिया, जयपुर, राजस्थान।
4. उप वन संरक्षक, उदयपुर, राजस्थान।
5. सहायक अभियन्ता, लोक निर्माण विभाग, उप खण्ड, ऋषभदेव, उदयपुर।
6. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु प्रेषित।
7. आदेश पत्रावली।


27.12.15
(वी०के० सिंह)
उप महानिदेशक (केन्द्रीय)

