



# कांर्यालय प्रधान मुख्य वन संरक्षक (वन बल प्रमुख) राजस्थान,

अरण्य भवन, झालाना संस्थानिक क्षेत्र, जयपुर-302004

क्रमांक: एफ. 16(Mining)2021/एफसीए/प्रमुखसं/ 749

दिनांक 23/2/22

शासन सचिव,  
वन विभाग,  
राजस्थान, जयपुर।

विषय:- Diversion of 398.0085 ha. of forest Land in favour of DMG, Rajasthan in Paharpur Block A & B for mining and generation of employment and earning of revenue for Government in Bharatpur District in the State of Rajasthan. (Proposal No. FP/RJ/MIN/125714/2021)

संदर्भ:- उप वन महानिरीक्षक (केन्द्रीय), भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, एकीकृत क्षेत्रीय कार्यालय, जयपुर का पत्रांक 8-14/2021-एफसी दिनांक 11.06.2021

महोदय,

उपरोक्त विषयान्तर्गत संदर्भित पत्र के क्रम में मुख्य वन संरक्षक, भरतपुर के पत्रांक 991 दिनांक 22.02.2022 से प्राप्त सैद्धान्तिक स्वीकृति की पालना रिपोर्ट निम्नानुसार है:-

S.NO.	CONDITION	COMPLIANCE
(i)	Legal Status of the diverted forest land shall remain unchanged;	An undertaking certificate from the user agency to this effect is enclosed. Annexure - 2
(ii)	Compensatory Afforestation shall be raised over equal area in identified land bank which has been created out of transfer of non-forest land to Forest department in the past, and has been earmarked by the state government for utilizing against compensatory Afforestation. Since the area identified cannot accommodate plants @1000 plants/ha., therefore the remaining plants will be planted over identified degraded forest land as per the prescription of approved working plan, with provisions for 10 years maintenance. The Compensatory Afforestation shall be raised within three years from the date of stage-II approval and maintained for 10 years thereafter by the State Forest department at the cost of the user agency.	User agency has deposited an amount of Rs. 14,08,56,238/- towards the cost of compensatory afforestation in CAMPA Account number 1508558125714666 IFSC Code UBIN0903710, against application no. 58125714666 dated 15.02.2022 at Union Bank of India Lodhi Road, New Delhi -110003 odhi Complex Branch Block 11 CGO Complex, phase I, New Delhi through online challan generate from Parivesh Portal. Copy of Challan is enclosed as Annexure - 1
(iii)	A detailed cluster Mining Plan will be submitted prior to handover of forestland which will incorporate the scope of common green infrastructure for all sub-leases to optimize resources and minimize ecological impact, Necessary details of mining will be given, including total mining leases in the cluster, area and location of each mining lease, the strip around the mining leases to be used as safety zone, entry and exit points of mining lease and transportation of mined material, the area meant for stocking of mined material, the areas for dumping overburden, area left out of mining operations for reasons of slope, soil and water conservation etc. along with appropriate mitigative measures for the conservation of forest area and wild life	An undertaking certificate from the user agency to this effect is enclosed. Annexure - 20

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(iv)	The state government shall ensure that the environment and water management measures to be adopted during mining and mine reclamation as per the approved mining plan are undertaken in a timely manner, and included in the annual compliance report.	An undertaking certificate from the user agency to this effect is enclosed. Annexure - 3
(v)	Since the area is highly refractory and the rainfall is also low, to ensure successful plantation in the safety zone and at other designated places, the plantations in and around the proposed area should be carried out under the supervision of expert institutions, like AFRI, jodhpur.	An undertaking certificate from the user agency to this effect is enclosed. Annexure - 4
(vi)	The mining lease period will be coterminous with the provisions contained in sub-section (2) of section 8A of mines and minerals (Development and regulation) Amendment Act, 2015 i.e. 50 years. In view of the user agency's submission of expected life span of 21 Years, however, the status will be reviewed by the FAC after 20 years to consider remaining availability of sandstone in the proposed forest diversion area and further protective/reclamation measures to be taken.	An undertaking certificate from the user agency to this effect is enclosed. Annexure - 5
(vii)	In order to address the issue of probable man-animal conflict that may arise in the area due to proximity of BandhBaretha Wild life sanctuary and because the area is semi-arid suitable Integrated Wild Life Management Plan for the sanctuary area in 500m width on the periphery of the sanctuary towards Blocks A and B, Including development of the buffer area and establishment of a wildlife rescue centre at a suitable location, shall be prepared and implemented at the cost of user agency.	Wildlife management plan prepared and approved by the wildlife chief warden jaipur User agency has deposited an amount of Rs. 3,65,20,000/- towards the cost of wildlife management plan in CAMPA Account number 1508558125714666 IFSC Code UBIN0903710 , against application no. 58125714666 dated 15.02.2022 at Union Bank of India Lodhi Road , New Delhi -110003 odhi Complex Branch Block 11 CGO Complex, phase I , New Delhi through online challan generate from Parivesh Portal. Copy of Challan is enclosed as Annexure-1
(viii)	a. The water streams in the diverted forest land shall be protected as per the standard conditions in the forest (conservation) guidelines; the state government shall ensure that soil and moisture conservation activities are undertaken on the banks of these water streams by the user Agency, along with mining operations, to sustain water flow in the streams.	An undertaking certificate from the user agency to this effect is enclosed. Annexure-6
	b. Small naalas/anicut in Bansipahadpur A and B blocks can be used as garland drains to provide/recharge water into Bandhbaretha Dam. Village pond of bansipahadpur village should be conserved by the user agency. All natural/man-made existing water bodies shall be conserved and protected by user agency and no hindrance shall be caused to obstruct flow of water in such water bodies.	

(ix)	As the bansipaharpur area has been subjected to open cast mining for several decades and land degradation is a major issue (refer wasteland Atlas of India 2019 and desertification Atlas of India 2016) at least 10 per cent of the district mineral foundation trust fund should be used for tree plantation on suitable sites, e.g. road side, around water bodies, etc. in the district (first preference in Bansipahadpr area) during the lease period under the supervision of State forest department.	An undertaking certificate from the user agency to this effect is enclosed. Annexure-21
(x)	User Agency will obtain permission for felling of trees as per applicable court orders/ Forest Act/Rules/Guidelines.	An undertaking certificate from the user agency to this effect is enclosed. Annexure-7
(xi)	The District Task Force on illegal mining shall meet at least once in three months and review that adequate actions has been taken to prevent illegal mining on lands outside the approved mining leases in the Banshipahadpur area.	User agency has mentioned that District task force is constituted under chairmanship of district collector & meeting will be held every quarter.
(xii)	The state govt. shall re-confirm that the present proposal does not contain any other active mining lease.	User agency has mentioned some parts of two leases falls in the area. For further clarification, these leases may have been active before 1980 and would have been in record of mining department. But mining activity in forest area was completely banned after SC judgement in T.N. Godavarman case after 12.12.1996.
(xiii)	The user agency shall transfer online, the net present value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble supreme court of india dated 28.03.2008, 24.04.2008 and 09.05.2008 in writ petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter no. 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal into Ad-hoc CAMPA account of the state concerned;	User agency has deposited an amount of Rs. 24,91,53,321/- towards the cost of NPV (Net Present Value ) in CAMPA Account number 1508558125714666 IFSC Code UBIN0903710 , against application no. 58125714666 dated 15.02.2022 at Union Bank of India Lodhi Road , New Delhi -110003 odhi Complex Branch Block 11 CGO Complex, phase I , New Delhi through online challan generate from Parivesh Portal. Copy of Challan is enclosed as Annexure-1
(xiv)	At the time of payment of the net present value (NPV) at the then prevailing rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;	An undertaking certificate from the user agency to this effect is enclosed. Annexure-8
(xv)	The land identified for raising compensatory afforestation shall be notified as RF/PF prior to stage II approval if not already done. A copy of the original notification declaring the said land as RF/PF will be submitted by the stage govt. prior to the stage-II approval	The proposed CA NFL land is already preliminary notified and in the charge of DCF, territorial, Bharatpur and forms the part of range Kaman. According Rajasthan govt. order P02(17)raj/03/08 dated 08.02.2008 This land was handed over to forest department on the condition that it will be used in lieu of future diversion proposal and According APCCF, Protection and Nodal Officer FCA, Rajasthan Jaipur Letter no. 2473 Dated 26.08.2021 This land can be used in future for diversion proposal.

(xvi)	The user agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with state forest department in CAMPA account of the concerned State Through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;	User agency has deposited an amount of Rs. 14,08,56,238/- towards the cost of compensatory afforestation in CAMPA Account number 1508558125714666 IFSC Code UBIN0903710 , against application no. 58125714666 dated 15.02.2022 at Union Bank of India Lodhi Road , New Delhi -110003 odhi Complex Branch Block 11 CGO Complex, phase I , New Delhi through online challan generate from Parivesh Portal . Copy of Challan is enclosed as Annexure -1
(xvii)	All the funds received from the user agency under the project shall be deposited in CAMPA account through e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.	User Agency has deposited an amount of Rs. 42,66,59,354/- towards the cost of NPV /CA/WLMP /safety zone in CAMPA Account number 1508558125714666 IFSC Code UBIN0903710 , against application no. 58125714666 dated 15.02.2022 at Union Bank of India Lodhi Road , New Delhi -110003 odhi Complex Branch Block 11 CGO Complex, phase I , New Delhi through online challan generate from Parivesh Portal . Copy of Challan is enclosed as Annexure -1
(xviii)	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> )	Compliance report has been uploaded to this effect.
(xix)	The User Agency shall obtain the environment clearance as per the provision of the Environmental (Protection) Act 1986 if required	User agency has applied for cluster environment clearance Proposal no (SIA/RJ/MIN/69242/2021) dated 18.11.2021 Acknowledgement Slip attached. Annexure -19
(xx)	The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District collector;	Settlement of right were completed and NOC with regards to this has been issued under scheduled tribes and traditional forest dwellers (Recognition of forest rights) Act 2006 in prescribed format by the Collector Bharatpur on 19.03.2021
(xxi)	No labour camp shall be established on the forest land and the user agency shall provide fuels preferably alternate fuels to the laboures and the staff working at the site so as to avoid any damaged and pressure on the nearby forest areas;	An undertaking certificate from the user agency to this effect is enclosed. Annexure -10
(xxii)	The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates;	An undertaking certificate from the user agency to this effect is enclosed. Annexure - 11
(xxiii)	The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the central government;	An undertaking certificate from the user agency to this effect is enclosed. Annexure - 12
(xxiv)	No damage to the flora and fauna of the adjoining area shall be caused;	An undertaking certificate from the user agency to this effect is enclosed. Annexure - 13
(xxv)	The user agency will ensure that the tree felling will be done only when it is unavoidable and that too under strict supervision of the state forest department;	An undertaking certificate from the user agency to this effect is enclosed. Annexure - 14



(xxvi)	The user agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the user agency from the very first year, and an annual report on implementation thereof shall be submitted to the nodal officer, Forest (conservation) Act, 1980, in the concerned state government and the concerned integrated regional office of the ministry. IF it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the user agency, the nodal officer or the concern Dy. Director General (Central) may direct that the mining activities shall remain suspended till such time, reclamation activities are satisfactorily executed;	An undertaking certificate from the user agency to this effect is enclosed. Annexure - 15
(xxvii)	Violation of any of these condition will amount to violation of forest (conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of chapter 1 of the handbook of comprehensive guidelines of Forest (conservation) act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019	An undertaking certificate from the user agency to this effect is enclosed. Annexure - 16
(xxviii)	The user agency shall submit the annual self-compliance report of the above stated conditions to the state government, concerned integrated regional office and to this ministry by the end of march every year regularly; and	An undertaking certificate from the user agency to this effect is enclosed. Annexure - 17
(xxix)	The user agency shall comply the provisions of all acts, rules, regulations, guidelines, Hon'ble court order (s) and NGT order (S) pertaining to this project, if any, for the time being in force, as applicable to the project.	An undertaking certificate from the user agency to this effect is enclosed. Annexure - 18

संलग्न:-उक्तानुसार।

भवदीय,

(डॉ. गोविन्द सांगर भारद्वाज)  
अति. प्रधान मुख्य वन संरक्षक,  
प्रोटेक्शन एवं नोडल अधिकारी एफसीए,  
राजस्थान, जयपुर।

दिनांक

क्रमांक: एफ. 16(Mining)2021/एफसीए/प्रमुवसं/

प्रतिलिपि:-निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित हैं:-

1. मुख्य वन संरक्षक, भरतपुर।
2. उप वन संरक्षक, भरतपुर।
3. अतिरिक्त निदेशक (खान) सतर्कता, पर्यावरण एवं विकास, नोडल अधिकारी वन मामलात, खान एवं भू-विज्ञान विभाग, उदयपुर।

( भवानी सिंह )

उप वन संरक्षक (एफ.सी.ए.)  
अरण्य भवन, जयपुर