

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

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi – 110003

Dated: 17th January, 2022

To

The Principal Secretary (Forests),
Department of Environment & Forests,
Government of Rajasthan,
Jaipur.

Sub: Diversion of 149.3002 ha of forest land for open cast Iron Ore Mining in favour of M/s Ojaswi Marble & Granite Pvt. Ltd. in District Sikar, Rajasthan.

Madam/Sir,

I am directed to refer to Addl. Principal Chief Conservator of Forests, Government of Rajasthan's letter No. F-16()/2013/FCA/PCCF/3721 dated 21.12.2021 forwarded a copy of Mining Lease Agreement towards instant proposal.

2. In addition, the Ministry has received a representation dated 04.01.2022 (copy enclosed) from M/s Ojaswi Marble & Granite Pvt. Ltd. requesting for approval under **Section 2(i)** Forest (Conservation) Act, 1980.

3. After examination of the information submitted and the available record, the following observations are made:

- i. The State Govt. has submitted a copy of the Mining lease agreement, however the context or reason for sending the same has not been specified
- ii. The Ministry vide letter dated 06.01.2017 in the instant matter has granted approval under Section 2(iii) of FCA,1980 subject to certain conditions including the deposit of NPV in CAMPA account and confirmation from Adhoc CAMPA/National Authority and complete compliance on FRA-2006. It is however not clear whether State Govt. has got confirmation for depositing of NPV from National Authority before executing of mining lease and whether the compliance as required under the provisions of FRA has been done or not. The detail along with documentary evidence in this regard may be submitted.
- iii. The detailed report of the compliance of the conditions stipulated in the approval letter dated 06.01.2017 is required to be submitted.
- iv. The proposal for approval of the area under Section 2-ii of FCA,1980 was also under consideration and the same was recommended by the FAC with certain conditions. In this regard information was sought from the State Govt. vide letter dated 30.01.2017 of this Ministry(Copy enclosed). The reply of the above letter is still awaited.
- v. The representation and detail submitted by the User Agency mentions about

some court order/ writ petition. It may therefore be clarified whether any writ petition of M/s Ojaswi Marbles & Granites Pvt.Ltd. towards instant proposal is pending. If so the detail along with the present status may be provided.

In view of above, the State Government is requested to provide the details as above along with comments on the representation dated 04.01.2022 made by M/s Ojaswi Marble & Granite Pvt. Ltd. to this Ministry for further necessary action.

Yours sincerely,

Encl.as above.

Sd/-

(Suneet Bhardwaj)

Assistant Inspector General of Forests (FC)

Copy to:

1. The PCCF, Government of Rajasthan, Jaipur.
2. The Nodal Officer, Office of the PCCF, Govt. of Rajasthan, Jaipur.
3. The Regional Officer, Integrated Regional Office, Jaipur.
4. User Agency
5. Monitoring Cell.
6. Guard file.

591179/2022/FC

F. No. 8-107/2014-FC
Government of India
Ministry of Environment, Forest and Climate Change
(FC Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi - 110003
Dated: 30th January, 2017

To,

The Principal Secretary (Forests),
Department of Environment & Forests,
Government of Rajasthan,
Jaipur.

Sub: Diversion of 149.3002 ha of forest land for open cast Iron Ore Mining in favour of M/s Ojaswi Marble & Granite Pvt. Ltd. in District Sikar, Rajasthan.

Sir,

I am directed to refer to Addl. Principal Chief Conservator of Forests, Government of Rajasthan's letter No. F () 2013/FCA/PCCF/2824 dated 04th November, 2016 in response to this Ministry's letter of even number dated 3/10th March, 2016 on the above mentioned subject. After examination the information of the state government the following observations are made:

- i. The CCF Udaipur has stated that it is not appropriate to provide the land suitability certificate/land free from all encumbrance till the complete details of land are provided.
- ii. As per DSS report, out of 150 ha. of identified land for CA, 58.77 ha. is falling on Recoded Forest area of Rajasthan instead of non-forest land and therefore need clarification in this regard.
- iii. The Revised CA scheme has not been approved by Competent Authority.
- iv. The clear stand of the State Government on the complaint made by Shri Sunil Dutt Malik as forwarded by this Ministry's letter no. 11-46/2016-FC dated 03.02.2016 may be provided.

In view of above, I am directed to request the State Government to provide the information as above to this Ministry so that the proposal shall be placed before the approval of competent authority.

Yours faithfully,

(Signature)
(Rajagopal Prashant)

Assistant Inspector General of Forests (FC)

Copy to:

1. The PCCF, Government of Rajasthan, Jaipur.
2. The Nodal Officer, Office of the PCCF, Govt. of Rajasthan, Jaipur.
3. The Add. PCCF (Central) Regional Office, Lucknow.
4. User Agency
5. Monitoring Cell.
6. Guard file.

(Signature)
(Rajagopal Prashant)

Assistant Inspector General of Forests (FC)

*Received. 31/01/17.
S. Singh*

OJASWI MARBLES & GRANITES PVT. LTD.

Village Bedla, Udaipur, Rajasthan - 313004 (INDIA)
Ph.: 0294-2440933, 2451024 Fax: 0294-2440780, Email:omgpl1995@gmail.com
CIN: U14101RJ1995PTC011076

dt- 4/1/2022

सेवा में,

सहायक महा निरीक्षक (वन)
भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,
इन्दिरा पर्यावरण भवन, अग्नि विंग तृतीय,
अलीगंज, जौहर बाग रोड, नई दिल्ली/110003

विषय:- डॉयवर्जन ऑफ 149.3002 हेक्टर ऑफ फोरेस्ट लैण्ड फॉर ओपन कॉस्ट माईनिंग इन फेवर ऑफ मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि. उदयपुर इन डिस्ट्रीक्ट सीकर राजस्थान।

सन्दर्भ:- आपके पत्र क्रमांक F.NO.-8-107/2014-FC दिनांक 10/3/2016 एवं दिनांक 30/1/2017 के सन्दर्भ में।

महोदय जी,

उपरोक्त सन्दर्भित विषय में निवेदन है कि मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि. उदयपुर राज. द्वारा निकट ग्राम- दीपास, तहसील- नीम का थाना, जिला- सीकर (राज.) में आयरन ओर खनिज के ओपन कास्ट माईनिंग हेतु आवेदन पत्र प्रस्तुत किया था जिसका राज्य सरकार द्वारा अनुमोदन किया जाकर खनन पट्टे का संविदा निष्पादन कर दिया गया है, जिसका बिन्दुवार विवरण निम्नानुसार है :-

- दिनांक 13/10/2011 को मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि. उदयपुर द्वारा 180 हेक्टर क्षेत्र पर खनिज आयरन ओर के खनन हेतु खान एवं भू विज्ञान विभाग में आवेदन पत्र प्रस्तुत किया गया जिसमें 149.3002 हेक्टर भूमि वन क्षेत्र पायी गयी।
- दिनांक 8/8/2013 को वन संरक्षण अधिनियम 1980 के नियम 2 के अन्तर्गत वन भूमि के डॉयवर्जन हेतु आवेदन पत्र प्रस्तुत किया गया जिसकी राज्य सरकार द्वारा जांच व कार्यवाही कर प्रस्ताव भारत सरकार में भेजा गया, जिसका प्रपोजल नं. FP/RJ/MIN/3869/2013 मिनिस्ट्री फॉईल नं. 8/107/2014-FC के अन्तर्गत कार्यवाही प्रारम्भ की गई।
- दिनांक 5/12/2014 को राजस्थान सरकार के पत्र क्रमांक प 2 (114) खान/गुप 2/2012 जयपुर द्वारा दिनांक 5/12/2014 द्वारा 180 हेक्टर क्षेत्र पर आयरन ओर खनिज के खनन हेतु का मंशा पत्र (एल.ओ.आई.) जारी किया गया जिसके अन्तर्गत हमारे द्वारा नियमित कार्यवाही की गई।
- दिनांक 12/01/2015 को भारत सरकार द्वारा एम.एम.डी.आर. एक्ट 1957 में बदलाव कर नई नीति जारी की गई जिसमें मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि. उदयपुर के आवेदन को 10 ए (2) के अन्दर संरक्षित रखा गया तथा हमारे द्वारा अग्रिम कार्यवाही जारी रखी गई।
- दिनांक 15/1/2015 को डी.सी.एफ. (सेन्टर) रिजनल ऑफिस लखनऊ द्वारा वन क्षेत्र का साईड इन्सपेक्शन कर रिपोर्ट प्रस्तुत की गई।

TO (Rajesh Kr)
11/01/22

589378/2022/CR
07/01/2022
E-589378/A19/FF E-12-1-22
Ms. Vikal
85 (P) (SB)
258/10/22
07/01/22

6. वर्ष 2015-16 में
- (1) हमारे द्वारा एल.ओ.आई. में निर्धारित शर्तों की पालना में आवेदित क्षेत्र आने वाले वन क्षेत्र के डॉयवर्जन की स्वीकृति हेतु भारत सरकार के वन एवं पर्यावरण मंत्रालय में आवेदन पत्र प्रस्तुत कर कार्यवाही की गई।
 - (2) आवेदित क्षेत्र का प्रोग्रेसिव मार्किंग प्लान बनाकर दिनांक 25/5/2015 को भारतीय खान ब्यूरो भारत सरकार अजमेर द्वारा अनुमोदित करा दिया गया।
 - (3) एम.सी.डी.आर. 1988 की धारा 23 एफ के तहत वित्तीय आश्वासन के रूप में नियमानुसार राशि जमा कराने हेतु शपथ पत्र दिया गया।
 - (4) 15/10/2015 को वन एवं पर्यावरण मंत्रालय भारत सरकार द्वारा पर्यावरण की सशर्त स्वीकृति प्रदान की गई।
 - (5) हमारे द्वारा राज्य में 1000 करोड रुपये का निवेश कर स्टील प्लान्ट लगाने हेतु शपथ पत्र एवं 10 करोड की बैंक गारन्टी जमा करायी गयी।
 - (6) खनिज के निर्गमन हेतु शपथ पत्र प्रस्तुत किया गया।

राज्य सरकार द्वारा जारी एल.ओ.आई. की उपरोक्त सभी शर्तों की परिपालना करने के पश्चात् भी राज्य सरकार द्वारा संविदा निष्पादन नहीं किया गया। हमारे द्वारा माननीय उच्च न्यायालय जोधपुर में रीट पीटीशन SP WP 15114/2016 लगायी गयी तथा डॉयवर्जन की प्रक्रिया जारी रखी गयी।

7. दिनांक 3/3/2016 एवं 29/3/2016 को FCA मीटिंग के एडीशनल एजेन्डा नं. 1 में हमारे द्वारा प्रपोजल को रखा गया तथा जॉच कर दिनांक 10/3/2016 एवं 11/4/2016 को पत्र जारी किये गये जिसकी पालना कर अति प्रधान मुख्य वन संरक्षक, प्रोडक्शन एवं नोडल अधिकारी FCA जयपुर राजस्थान के पत्र क्रमांक F 16 () 2013/FCA/ प्र.मु.व.सं./2825 दिनांक 4/11/2016 से सहायक महा निरीक्षक वन, नई दिल्ली को अग्रिम कार्यवाही हेतु प्रेषित किया गया।
8. दिनांक 6/1/2017 के पत्र क्रमांक F-No.-8-57/2016-FC द्वारा मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाइट प्रा. लि. उदयपुर को 149.3002 हैक्टर वन भूमि में वन संरक्षण अधिनियम 1980 के नियम 2(111) के अन्तर्गत अग्रिम स्वीकृति जारी करते हुए एन.पी.वी. जमा कराने हेतु पत्र जारी किया गया।
9. दिनांक 7/1/2017 को हमारे द्वारा 9,97,00000/- रुपये एन.पी.वी. जमा कर अग्रिम कार्यवाही हेतु निवेदन किया गया।
10. दिनांक 9/1/2017 को अति प्रधान मुख्य वन संरक्षक, प्रोडक्शन एवं नोडल अधिकारी FCA जयपुर राजस्थान के पत्र क्रमांक F 16 () 2013/FCA/ प्र.मु.व.सं./70 दिनांक 9/1/2017 द्वारा अतिरिक्त निदेशक खान, सतर्कता, पर्यावरण एवं विकास, नोडल ऑफिसर वन मामलात्, खनिज भवन उदयपुर को सूचित किया कि आवेदन द्वारा आरोपित शर्तों का पालना तथा एन.पी.वी. की राशि वन अधिकार अधिनियम 2006 के अन्तर्गत प्रमाण पत्र व अन्डरटेकिंग प्रस्तुत कर शर्तों की पालना की जा चुकी है। अतः उक्त लीज एग्रीमेंट हेतु आवश्यक कार्यवाही करने हेतु पत्र भेजा गया।
11. दिनांक 12/1/17 को अति प्रधान मुख्य वन संरक्षक, प्रोडक्शन एवं नोडल अधिकारी FCA जयपुर राजस्थान के पत्र क्रमांक F 16 () 2013/FCA/ प्र.मु.व.सं./124 दिनांक 12/1/2017 द्वारा सहायक महा निरीक्षक वन FC डीवीजन, भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली को पालना रिपोर्ट व जमा राशि का ब्यौरा भेजकर अग्रिम कार्यवाही हेतु पत्र भेजा गया।

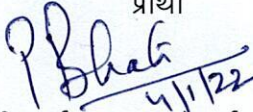
12. दिनांक 30/1/2017 के पत्र क्रमांक F-No.-8-107/2014-FC के असिसटेन्ट इन्सपेक्टर जनरल ऑफ फॉरेस्ट (FC) द्वारा प्रिन्सिपल सेक्रेटरी (फॉरेस्ट) डिपार्टमेंट ऑफ इन्वायरमेंट एण्ड फॉरेस्ट राजस्थान सरकार जयपुर को FCA के अन्तर्गत कार्यवाही करते हुए पत्र लिख कर जानकारी मांगी गयी।
13. उक्त पत्र की पालना में अति प्रधान मुख्य वन संरक्षक, प्रोडक्शन एवं नोडल अधिकारी FCA जयपुर राजस्थान के पत्र क्रमांक F 16 () 2013/FCA/ प्र.मु.व.सं./3296 दिनांक 18/9/2017 द्वारा सहायक महा निरीक्षक (वन), भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली को सूचनायें संलग्न कर प्रेषित की गई।
14. वर्ष 2017-2021 के मध्य मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि. उदयपुर द्वारा माननीय उच्च न्यायालय में रीट पीटीशन 15114/2016, अवमानना याचिका संख्या 59/2017 व विशेष अपील संख्या 301/2021 दायर की गई जिसमें माननीय उच्च न्यायालय की खण्ड पीठ द्वारा निर्णय दिनांक 8/7/2021 को पारित किया गया जिसका ओपरेटिव पार्ट निम्नानुसार है :-
 “we make it clear that the state shall execute the mining lease in favor of the private respondent (writ petitioner) within a period of 15 days from today. The mining lease reflect that it shall be given effect to on or before 11.01.2017(the cut-off date). By way of mention, we may indicate here that grant of mining lease by itself will not be enable the respondent (writ oetitioner) to commence mining operations without complying with the conditins mentioned in the letter of intent as well as the condition imposed by the union of india in its approval and FC clearance granted to the private respondent (writ petitioner) unde section 2 (iii) of the Forest Conservation Act 1980.
- We further make it clear that grant of mining lease in favor of the respondent (writ petitioner) shall be subject to the outcome of the pending writ petition and the parties are at liberty to proceed with the matter thereafter. The condition imposed in the interim order dated 9.1.2017 shall remain in force. We also make it clear that if the private respondent (writ petitioner) moves for clearance under provisions of the Forest Conservation Act 1980 and other provisions of law for the purpose of commencing the mining operations, the same shall be entertain and dealt with expeditiously in accordance with law. It shall not in any manner be denied or withheld on account of pendency of writ petition. With the aforesaid observation and directions, the special appeal is dismissed.”
15. माननीय उच्च न्यायालय की खण्ड पीठ के निर्णय दिनांक 8/7/2021 की पालना में दिनांक 16/11/2021 को आयोजित मन्त्रिमंडल की बैठक में खान (ग्रुप 2) विभाग द्वारा प्रस्तुत ज्ञापन पर विचार विमर्श कर मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि. उदयपुर के पक्ष में नो अपील करते हुए खनन पट्टा वास्ते खनिज आयरन ओर, निकट ग्राम- दीपास, तहसील- नीम का थाना, जिला- सीकर (राज.) क्षेत्रफल 180 हैक्टर सम्बन्धित प्रस्ताव को अनुमोदित किया गया।

16. दिनांक 8/12/2021 को खान एवं पेट्रोलियम विभाग राजस्थान सरकार जयपुर के पत्र क्रमांक प 2 (114)/खान गुप 2/2012 पार्ट जयपुर दिनांक 8/12/2021 को मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि. उदयपुर के पक्ष में स्वीकृति आदेश जारी किये गये।
17. दिनांक 18/12/2021 को उक्त स्वीकृत खनन पट्टे का संविदा निष्पादन कर पंजीयन कराया गया तथा दिनांक 22/12/2021 को राजस्थान सरकार द्वारा आयरन ओर के खनन हेतु 50 वर्ष की अवधि के लिए ज्ञापन जारी किया गया।
18. दिनांक 21/12/2021 को अति प्रधान मुख्य वन संरक्षक, प्रोडक्शन एवं नोडल अधिकारी FCA जयपुर राजस्थान के पत्र क्रमांक F 16 () 2015/FCA/ प्र.मु.व.सं./3722 दिनांक 21/12/2021 द्वारा सहायक महा निरीक्षक (वन) , भारत सरकार, पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली को खनन पट्टा एग्रीमेंट की प्रति अग्रिम कार्यवाही हेतु प्रेषित की गई।

अतः आपसे निवेदन है कि मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि. उदयपुर द्वारा खनिज आयरन ओर, निकट ग्राम— दीपास, तहसील— नीम का थाना, जिला— सीकर (राज.) क्षेत्रफल 180 हैक्टर में आयरन ओर के खनन हेतु प्रस्तुत डॉयवर्जन के आवेदन पत्र 149.3002 हैक्टर क्षेत्र का वन संरक्षण अधिनियम 1960 के नियम 2(।) में अनुमति प्रदान करने का कष्ट करे।

धन्यवाद ।।

संलग्न:- उपरोक्तानुसार

प्रार्थी

 4/1/22

मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि. उदयपुर

प्रतिलिपि:- अति प्रधान मुख्य वन संरक्षक, प्रोडक्शन एवं नोडल अधिकारी FCA जयपुर राजस्थान

F. No. 8-107/2014-FC

Sub: Diversion of 149.3002 ha of forest land for open cast Iron Ore Mining in favour of M/s Ojaswi Marble & Granite Pvt. Ltd. in District Sikar, Rajasthan.

1. The State Government of Rajasthan vide their letter No. P. 1(11) Van/2014 dated 03.12.2014 submitted the above mentioned proposal seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.
2. Proposal envisages mining of Iron Ore over 180 ha of lease area in Ramliyawas Village & Ghata Ganwar in Nim Ka Thana Tehsil in Sikar District. The lease area involves 149.3002 ha of forest land while 30.9758 ha of non-forest (revenue land). The Mining work open cast by semi mechanized methods.
3. Justification for locating the project in the forest area giving alternatives examined and reasons for their rejection.

The applied area preliminary geological investigation carried out by geological survey of India (GSI) and department of mines and geology (DMG). The geological investigation proved the presence of iron ore band in the area. The comical analysis of iron ore sample indicatge 55.44% to 62.80% Fe. The mineral deposits are site specific. In the present case, the deposit exists in forest land. The deposit is very well exposed and owing to nature of the rock, there is no vegetation over the deposit.

4. Copy of letter dated 9.12.2013 of the Ministry of Mine granting in-principle approval for allocation of mine stated to be submitted has been received along with the documents (Pg 161/c).
5. The facts related to the proposal as contained in the State Government's letter dated 03.12.2014 are given below in the form of fact sheet:

FACT SHEET

1.	Name of the Proposal	Diversion of 149.3002 ha of forest land for Iron Ore Mining in favour of M/s Ojaswi Marble & Granite Pvt. Ltd. in District Sikar, Rajasthan.
2.	Location (i) State (ii) District	Rajasthan Sikar
3.	Particulars of Forests: (i) Name of Forest Division and Forest area involved. (ii) Legal status/Sy.No. (iii)Map	Sikar Forest Division, 149.3002 ha Protected Forest SOI Toposheet – Pg-39/c Digital DGPS map- Pg-41/c Forest Cover map- Not enclosed 10 Km radius – Not enclosed. Land Use Plan – Not enclosed.
4.	Topography of the area	-

5.	(i) Geology (ii) Vulnerability to erosion	- There is not any possibility of soil erosion in the applied area. However, no justification in support of nil soil erosion has been provided by the DFO.
6.	(i) Vegetation (ii) Density (iii) No. of trees to be felled	Ronj, Kumtha, Desi Babool, Neem, Khejari, Dhonk, Khirthi, Safeda, Dhak, Vilayati Babool, Sisham etc. 0.3 approx. Total = 22,069 (inclusive of all girth classes Pg 97/c)
7.	Whether area is significant from wildlife point of view	No
8.	Whether forms part of National park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, etc. (if so, details of the area and comments of the Chief Wildlife Warden	No the proposed area does not form part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, etc.
9.	Whether any RET species of flora and fauna are found in the area. If so details thereof	No rare/endangered species of flora & fauna were found in the area.
10.	Approximate distance of the proposed site for diversion from boundary of forest.	It is inside the boundary of forest area.
11.	Whether any protected archaeological/ heritage site/defence establishment or any other important monuments is located in the area.	There is no protected archaeological/heritage site/defense establishment in the proposed area.
12.	Whether any work of in violation of the Forest (Conservation) Act, 1980 has been carried out (Yes/No). If yes details of the same including period of work done, action taken on erring officials. Whether work in violation is still in progress.	No
13.	Whether the requirement of forest land as proposed by the user agency in col. 2 of Part-I is unavoidable and barest minimum for the project, if no recommended area item-wise with details of alternatives examined.	Yes, minimum forest land is proposed for diversion as per availability of iron ore in the area.
14.	Whether clearance under the Environment (protection) Act, 1986 is required?	Yes
15.	Compensatory Afforestation	
	(i) Details of non-forest area/degraded forest area	Equivalent non forest area for CA 29.22 ha is proposed at village Kharag Beejpur of Tehsil

	identified for CA, its distance from adjoining forest, number of patches, size of each patches.	Neemkathana, District Sikar and is in one patch and it is situated adjoining to forest boundary and 119.94 ha non forest land is proposed at village Garhtaknet, Tehsil, Shri Madhopur district, Sikar and is in one patch and its distance from nearest forest boundary is approx 3 k.m and 0.1402 ha NFL is proposed at village Surani Tehsil Shrimadhapur. District collector, Sikar has asked the suitability of this 149.3002 ha non forest area by letter No. 9992 date 30.12.2013. Deputy Conservator of forest, Sikar has sent consent and suitability of above land for CA. Land allotment to forest Department, Sikar is in process.
	(ii) Map showing non-forest/degraded forest area identified for CA and adjoining forest boundaries.	(Pg- 110-112/c).
	(iii) Detailed CA scheme including species to be planted, implementing agency, time schedule, cost structure, etc.	Site specific CA scheme has not been submitted by the State Government rather a model CA scheme for a unit area of 50 ha has been submitted.
	(iv) Total financial outlay for CA	Rs. 1,92,89,586.00 (as per CA on NFL)
	(v) Certificate from the competent authority regarding suitability of the area identified for CA and from management point of view.	Deputy Conservator of Forests, Sikar has certified that the non forest land identified for diversion proposal is suitable for compensatory afforestation and from management point of view. (Pg-103/c)
16.	Catchment Area Treatment	NA
17.	Rehabilitation of Oustees a) No of families involved b) Category of families c) Details of rehabilitation plan	Nil Nil NA
18.	Compliance of Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	The compliance of Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has also been submitted by the State Government (Pg 115-146/c). The District Collector, Sikar has issued a certificate dated 3.03.2014 (Pg 115/c) in the format prescribed by MoEF&CC, in respect of 149.3002 ha of forest land stating that complete process for identification and settlement of rights has been carried out. The District Collector has also certified the information in respect of all clauses of the

		MoEF's advisory dated 5.07.2013 i.e. diversion of forest land for facilities managed by the Government and safeguarding the rights of Primitive Tribal Group and Pre-Agricultural Communities as required under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, discussion on the proposal in meeting of concerned Gram Sabha (s) maintaining the prescribed quorum, etc. The concerned Gram Sabha (s) have recorded their consent for the proposal in their respective resolution. Documentary evidences in support of settlements of rights under the Scheduled Tribe and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 may kindly be seen at Pg 116-146/c.
19.	Cost Benefit Ratio	1:1363 (Pg- 163-170/c) Cost benefits analysis appear to be faulty. It appears that appropriate techno-economic tools to assess the parameters specified in the Guidelines issued under the Forest (Conservation) Act, 1980 have not been applied in the CB analysis.
20.	Total Cost of the Project	Rs. 102 Crores
21.	Recommendation i. DFO ii. CCF iii. Nodal Officer iv SG	Recommended (pg-11-14/c) Recommended (pg-15/c) Recommended (pg-16/c) Recommended (pg-17/c)
22.	District Profile (i) Total Geographical area of the district (ii) Total Forest area/Divisional Forest area (iii) Total area diverted since 1980 (iv) Total CA stipulated since 1980 a. Forest land including penal CA b. Non Forest Land (v) Progress of Compensatory Afforestation a. Forest land b. Non Forest land	7732 Sq. Km. 637.684 Sq. Km. 191.2744 ha (17 number of cases) 400.0438 ha 45.2781 ha 450.94 ha 5.0 ha

5. The project proponent has submitted an undertaking to bear the cost of compensatory afforestation. (Pg-59/c)

6. The project proponent has submitted an undertaking to bear the cost of Net Present Value. (Pg-58/c).
7. The State Government of Rajasthan vide their letter No. F 16() 2013/FCA/Pramuvans/2516 dated 31.03.2015 submitted the additional documents as sought by the MoEF&C vide its letter dated 15.01.2015. However, examination of the same revealed that proposal still lacks following details:
 - i. A copy of the Mine Plan has been submitted. However, same is not approved by IBM and there is no mention of the progress of the approval of the Mine Plan by the IBM.
 - ii. As is evident from the purpose wise breakup of the area required for the project, area earmarked for safety zone has not been included in the area of the proposal applied for diversion under the Forest (Conservation) Act, 1980.
 - iii. Copy of letter dated 9.12.2013 of the Ministry of Mine granting in-principle approval for allocation of mine stated to be submitted has been received along with the documents (Pg 161/c) subject to the conditions that "applicant company will install proposed steel plant in the State of Rajasthan as per the undertaking given to the State Government. However, no such detail regarding captive use of the iron ore for establishment of steel plant or a copy of the MoU signed with the State Government for the said steel plant has not been provided in the diversion proposal.
 - iv. Details of mineral reserve base available in the area has not been provided appropriately in the Form A.
 - v. There appears to in-adequate primary documents/reports regarding detailed prospecting of the mineral reserve in the area. As evident from the report of the Addl. Director Geology, Udaipur (Pg 31/c) only general Geological Investigation carried out by the Department of Geology in December 1968. There appears to inadequate report on site specific prospecting of the area to prove the mineral resources base more precisely.
1. **Recommendation of the DFO** – The DFO in his recommendation has mentioned that proposal is for opening a new mine for production of mineral iron ore in 149.3002 ha of forest land including 0.2760 ha of unmetalled approach road. This complete area is located in the Protected Forests of Ganwari No. 68. Pucca wall fencing should be constructed around the applied area. Barbered wire fencing should be constructed around the approach unmetalled road. Iron ore is visible in the hilly area. Minimum forest land is proposed for diversion as per availability of mineral ore. Hence recommended for diversion (Pg 14/c)
2. **Chief Conservator of Forests** – The proposal is recommended for diversion of forest land.
3. **Nodal Officer-Cum Addl. PCCF** – Recommended for approval.
4. **State Government** – Recommended.

7. **SITE INSPECTION REPORT, REGIONAL OFFICE, LUCKNOW (PG-149-156/C)**

Date of Inspection: 2nd February, 2015

Name & Designation of Inspecting Officer: Amit Misra, DCF (Central)

Name of District / Forest Division: Sikar (Rajasthan)

With reference to the above subject, site inspection of the project was done by the undersigned on 2nd February 2015. The representative of user agency, territorial DCF and local forest staff were present during the inspection. Based on the site inspection and discussion held with the officials of user agency and forest department and perusal of records pertaining to the project, the report is submitted as under-

- 1) M/s Ojaswi Marble & Granites Pvt. Ltd have applied for mining lease over an area of 180 Ha near village Ramliyavas and Ghata Ganwar Tehsil- Neem ka Thana, District- Sikar (Rajasthan) for mining of Iron Ore. The area lies between-

Toposheet No 45M/14

Point	Latitude	Longitude
A	N 27° 35' 31.25"	E75° 52' 26.04"
B	N 27° 36' 22.18"	E75° 53' 11.36"
C	N 27° 36' 04"	E75° 53' 37.09"
D	N 27° 35' 13.08"	E75° 52' 51.76"

Khasra wise details of the proposed diversion of forest land are as under-

Disrtict	Tehsil	Village	Khasra No
Sikar	Neem ka Thana	Ramlawas	5(p), 6(p), 305 (p), 306(p), 307(p), 308(p), 309(p), 355(p)
		Ghata Ganwar	1919(p), 1920(p), 1924(p), 2490(p), 2491(p), 2492-2494, 2496-2505, 2506(p), 2507(p), 2508(p)

Area of Forest Land – 149.3002 Ha

Area of Revenue Land – 30.9758 Ha

Total area of mining lease 140/2011 – 180 Ha

The iron ore deposit found on surface as different bands and present in the form of elongated ridge extended along NE-SW direction at moderate height. The highest and lowest RL of lease area are approx 555 meters and 460 meters. General strike direction of deposit is NE-SW.

- 2) Iron ore deposit within applied lease area is associated with Quartzite and Mica schist. The mineralization has been concentrated within places as bands with variable thicknesses. The reserve estimates of iron ore within the applied area-

Reserved as per UNFC	Code	In Tones
Proved	111	18,908,245
Provable	122	12,077,065
Feasibility Mineral	211	107,117
Pre-Feasibility Mineral	222	66,990
Total		31,159,417

The mining work will be open cast by semi-mechanized method- involving excavator, drilling and blasting. The targeted production of capacity of mine will be approx 2.7 Million ton per annum. The life span of mine shall be 30 years.

- 3) Cost of the project – approx 102 Crore

4) In the applied area, preliminary geological investigations were carried out by the Geological Survey of India (GSI) and Department of mines and geology (DMG). The geological investigations prove the presence of iron ore band in the area. The iron content in the ore is between 55.44 to 62.80 percent. The mineral deposits are site specific. In the present case, the iron ore deposits mostly exist in the forest land. The deposits are very well exposed and owing to the rocky nature of soil formation, there is almost no vegetation over the exposed deposit area. The technical report of Add. Director of Geology, DMG- Udaipur was attached in the proposal

5) Purpose wise break-up of the land requirement is as under -

<i>Particulars</i>	<i>Forest Land (Ha)</i>	<i>Non-Forest Land (Ha)</i>	<i>Total Area (Ha)</i>
"No work strip of 7.5 meter width as per sec 111-3[(2)] of Metalliferous Mines Regulations-1961" on which vegetative barrier will be created	3.8274	0.4551	4.2825
Un-metalled road within lease area (10 m wide and 262 m long)	0.2620	-	0.2620
Un-metalled road out of lease area (10 m wide and 276 m long)	0.2760	-	0.2760
Mining Activity	144.9136	19.1071	164.0207
Dumping Area	-	7.5345	7.5345
Mineral Stacking	-	3.6748	3.6748
Office & Building	-	0.2043	0.2043
Chowkidar Hut	0.0212	-	0.0212
Total	149.3002	30.9758	180.2760
Safety Zone of 7.5 m width (Length and Area)	5161.46 m	608.53 m	5770.00 m
	3.8711 Ha	0.4564 Ha	4.3275 Ha

- 6) The mining lease is located inside the protected forest of Ganwari No-68 forest block near village Ramliyawas of Forest Range- Neem ka Thana in Sikar Forest Division. The iron ore is visible at many places of the area. Total number of 22069 trees of species like Acacia leucophalao, Prosopis cineraria, Acacia nilotica, Azadirachta indica, Acacia Senegal, Anogeissus pendula, wrightia tinctoria, Eucalyptus species, Butea monosperma etc. Maximum tree are of Prosopis juliflora (total 13047). Majority of the affected trees are bushy in nature.
- 7) There was no violation of FCA 1980. The forest area proposed for diversion does not form part of any national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor etc. Endangered species of flora and fauna are not found in the area. There is no archaeological / heritage site / defence establishment located in the area. The territorial DCF and CCF have recommended construction of Pucca Wall fencing around the applied area and Barbed wire fencing around the un-metalled approach road to safe guard the rest of forest area. The DFO has also reported that there is no possibility of soil-erosion in the applied area.
- 8) For compensatory afforestation the equivalent non-forest area of 29.22 Ha has been proposed at village Kharag Beejpur of Tehsil Neem Ka Thana, District-Sikar in one patch and it is situated adjoining to the forest boundary. Another single patch of 119.94 Ha of non-forest area has been proposed at village Garhtaknet, Tehsil-Shri madhopur, District

Sikar for compensatory afforestation and it is at a distance of approx 3 km from nearest forest boundary. 0.1402 Ha of another patch of non-forest land at village Surani Tehsil Shri madhopur has also been proposed for compensatory afforestation. The District Collector Sikar has asked for suitability of above mentioned 149.3002 Ha of non-forest land vide letter no 9992 dated 30 Dec 2013 and the Deputy Conservator of Forests, Sikar has given consent of suitability of above land for compensatory afforestation vide letter no 12436 dated 31 Dec 2013. The said allotment of non-forest land to Rajasthan Forest Department is in process. The CA scheme for NFL has been enclosed on page 102 of the proposal.

- 9) Reclamation plan has been attached by the user agency in the proposal.
- 10) Human displacement – Not applicable as no Human displacement involved.
- 11) Details of catchment and command area under the project – Not applicable
Catchment area treatment plan to prevent siltation of reservoir– Not applicable
- 12) Cost Benefit Ratio – the user agency has submitted the cost benefit analysis but the user agency has been asked to modify it by MoEFCC
- 13) The user agency has initiated the process to obtain Certificate under FRA-2006
- 14) The labourers / employees of user agency must not collect any fuel wood from the forest area and alternative arrangements will be made by the user agency of which proper record would be maintained.
- 15) The forest land applied does not involve any rare / endangered / unique species of flora and fauna. This area also does not involve any protected / archaeological / heritage site / defence establishment or any other monument of importance.

Recommendation: In view of the discussion and the measures suggested above, the diversion of 149.3002 Ha in favour of user agency for mining of iron ore is recommended on normal terms and conditions.

The Addl. PCCF, Regional Office, Lucknow has recommended the proposal for diversion of forest land without any recommendation.

In view of the above facts, the proposal is submitted for further directions to place the same before the FAC in its forthcoming meeting.

F No. 8-107/2014-FC

Government of India

Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi - 110003
Dated: 3rd March, 2016
10/11

To

The Principal Secretary (Forests),
Government of Rajasthan
Jaipur.**Sub: Diversion of 149.3002 ha of forest land for open cast Iron Ore Mining in favour of M/s Ojaswi Marble & Granite Pvt. Ltd. in District Sikar, Rajasthan.**

Sir,

I am directed to refer to the Government of Rajasthan letter No. F.16 (0) 2013/FCA/Pramuvs/7243 dated 07.12.2015 on the above mentioned subject seeking prior approval of Central Government in accordance with Section-2 of the Forest (Conservation) Act, 1980 and to say that the submissions along with the proposal were considered in the Forest Advisory Committee (FAC) meeting held on 16th February, 2016. The Committee after detailed discussions and scrutiny of the proposal, *inter- alia* recommended that the following information be sought from the State Government:

1. Revised CA scheme to be submitted as per actual site conditions
2. DFO's certificate that CA site is free from all encumbrances to be provided.
3. From the imagery based on DGPS co-ordinates provided it appears that there is a watercourse /impound within the lease. Detailed comments of the State government in this regard so that at least 250 metres on either side of this watercourse/impound is maintained as no disturbance zone, if required, to be provided.
4. Detailed comments of the State Government on the complaint regarding the land, to be provided. (as forwarded by this Ministry's letter no 11-46/2016-FC dated 03.02.2016)

The detailed minutes of the FAC meeting are available on <http://forestsclearance.nic.in>. I am therefore directed to convey the recommendations of the FAC to the State Government for further necessary action. This issues with the approval of the competent authority.

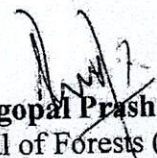
Yours faithfully,


(Rajagopal Prashant)

Assistant Inspector General of Forests (FC)

Copy to:

1. The Principal Chief Conservator of Forests, Government of Rajasthan, Jaipur.
2. The Principal Chief Conservator of Forests (Wildlife), Government of Rajasthan, Jaipur
3. The Nodal Officer (FCA), O/o PCCF, Government of Rajasthan,
4. The User Agency. M's Ojaswi Marble & Granite Pvt Ltd
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.


(Rajagopal Prashant)Assistant Inspector General of Forests (FC)
SV

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F.No 8-57/2016-FC
Government of India
Ministry of Environment, Forests and Climate Change
(FC Division)

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003.
Dated: 06th January, 2017

To,

The Principal Secretary (Forests),
Government of Rajasthan,
Jaipur.

Sub: Application of M/s Ojaswi Marble & Granite Pvt. Ltd seeking approval of MoEF & CC under Section 2(iii) of Forest Conservation Act, 1980 over 149.3002 ha forest land pertaining to open cast Iron Ore Mining in District Sikar, Rajasthan.

Sir,

I am directed to refer to the State Government's letter No.F-160/2013/FCA/PCCF/3031 dated 29.11.2016 on the subject mentioned above seeking prior approval of the Central Government under Section-2 (iii) of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government seeking prior approval under Section-2 (iii) of the Forest (Conservation) Act, 1980 and on the basis of the recommendations of the Forest Advisory Committee, approval of the Central Government is hereby granted under Section 2(iii) of FC Act, 1980 concerning application of M/s Ojaswi Marble & Granite Pvt. Ltd seeking approval of MoEF & CC under Section 2(iii) of Forest Conservation Act, 1980 over 149.3002 ha forest land pertaining to open cast Iron Ore Mining in District Sikar, Rajasthan subject to the following conditions;

- (i) Legal status of the forest land shall remain unchanged;
- (ii) The State Government shall charge the Net Present Value (NPV) of entire forest land of the Mining lease for assignment of lease for the extended period of lease under this proposal from the User Agency 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 and No. 11-599/2014-FC dated 01.04.2015 and 19.10.2015 in this regard;
- (iii) 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;
- (iv) All the funds received from the User Agency under the project shall be transferred on line to Ad-hoc CAMPA in the Saving Bank Account pertaining to the State concerned;
- (v) State Government shall, within a period of 30 days from the date of issue of this letter, realize from the user agency, NPV of the entire forest land falling in the mining lease, in case NPV of such forest land has not already been realised;
- (vi) In case State Government fails to realize from the user agency, NPV of the entire forest land falling in a mining lease within a period of 30 days from the date of issue of this letter, this approval in respect of such mining lease, shall be kept in abeyance, till such time, the NPV of such forest land is realised by the State Government.
- (vii) The approval under Section 2(iii) of the Forest (Conservation) Act, 1980 shall be valid for a period co-terminus with the period of mining lease in accordance with the provisions of the Mines and Minerals (Development and Regulation) Act, 1957, as amended, and the Rules framed thereunder;

Hr

Handwritten signature
06/11/2017

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- (viii) This approval does not, in any manner, exempt a user agency from obtaining prior approval under section 2 (ii) of the FC Act in regard to such area of forest land which is to be used for non-forest purpose;
- (ix) Grant of this approval does not in any manner, exonerate the concerned authorities in the State Government or in any other Authority, from the proceedings under Section 3A and 3B of the FC Act, liable to be initiated for violation, if any, of the FC Act committed by them by assigning such forest land on mining lease without obtaining prior approval of Central government under Section-2 of the FC Act.
- (x) No physical diversion of forest land will be allowed and no breaking up of forest land to be permitted.
- (xi) The project proponent has to pay full NPV for the area.
- (xii) The grant of permission under section 2(iii) of Forest (Conservation) Act 1980 will not confer any right on the project proponent for diversion under section 2(ii) of Forest (Conservation) Act 1980.
- (xiii) The forest department will be free to manage the forest area as per normal management practices and working plan prescriptions.
- (xiv) State Government to confirm complete compliance of the provision of ERA, 2006 prior to executing/ granting forest area on lease.
- (xv) The permission is subject to confirmation of NPV amount for the area from Adhoc CAMPA.
- (xvi) No staff/ laborer shall be allowed to enter inside forest area without valid permission of competent local forest authority.
- (xvii) Demarcation of mining lease area will be done on the ground at project cost using 4 feet high concrete pillars with serial numbers, bearing, distance from pillar to pillar and GPS co-ordinates.
- (xviii) The User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- (xix) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- (xx) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

The above approval under Section-2 (iii) of the Forest (Conservation) Act, 1980 is subject to verification of deposit of NPV in State CAMPA Account by Ad-hoc CAMPA and complete compliance of settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, as prescribed by this Ministry in its letter No. 11-9/1998-FC (PL) dated 03.08.2009 read with 05.07.2013.

Yours faithfully,

(Rajagopal Prashant)

Assistant Inspector General of Forests (FC)

Copy to:

1. The PCCF, Government of Rajasthan, Jaipur
2. The Nodal Officer under FCA, Forest Department, Government of Rajasthan, Jaipur.
3. The Addl. PCCF, Regional Office, Lucknow.
4. User Agency.
5. Monitoring Cell FC Division.
6. Guard File.

(Rajagopal Prashant)

Assistant Inspector General of Forests (FC)

Stk

2/2

कार्यालय प्रधान-मुख्य वन संरक्षक (होफ) राजस्थान, जयपुर।

क्रमांक/एफ16()2013/एफसीए/प्रमुखसं/ 76

दिनांक/ 9.1.17

निमित्त : अतिरिक्त निदेशक, खान,
सर्तकता, पर्यावरण एवं विकास
नोडल ऑफीसर वन मामलात,
खान एवं भू विज्ञान विभाग,
खनिज भवन, उदयपुर।

विषय :- Diversion of 149.3002 Hac. forest land minral Iron ore mining favor of
M/S Ojawi Marble and granite Private Limited.

प्रसंग :- MOEF & CC New Delhi (FC Division) letter no F.No.8-57/2016-FC Dated
6.1.2017

महोदय,

उपरोक्त विषयान्तर्गत प्रासांगिक पत्र के कम में निवेदन है कि मैसर्स ओजस्वी मार्बल एवं ग्रेनाइट प्राईवेट लिमिटेड के वन संरक्षण अधिनियम 1980 की धारा 2 (iii) के आवेदन पर पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय (एफ0सी0 डिविजन) भारत सरकार नई दिल्ली के पत्राक F.No.8-57/2016-FC Dated 6.1.2017 के द्वारा शर्त स्वीकृति जारी की गई है (प्रति संलग्न) आवेदक द्वारा अधिरोपित शर्तों की पालना यथा एन0पी0वी0 की राशि जमा होना, वनाधिकार अधिनियम 2006 के अंतर्गत प्रमाण पत्र एवं अन्य शर्तों हेतु अन्डरटेकिंग प्रस्तुत की जा चुकी है। इस प्रकार आवेदक द्वारा शर्तों की पालना की जा चुकी है। अतः उक्त लीज के संबंध में लीज एग्रीमेंट आदि आवश्यक कार्यवाही करने हेतु प्रेषित है।

संलग्न : उपरोक्तानुसार

भवदीय

(भरत तैमनी)

अतिरिक्त प्रधान मुख्य वन संरक्षक
एवं नोडल अधिकारी, एफ0सी0ए0
राजस्थान, जयपुर।

क्रमांक/एफ16()2013/एफसीए/प्रमुखसं/
प्रतिलिपी निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रस्तुत है:-

1. शासन सचिव, वन, सचिवालय, जयपुर।
2. प्रमुख शासन सचिव, (खान), सचिवालय, जयपुर।

दिनांक/

अतिरिक्त प्रधान मुख्य वन संरक्षक
एवं नोडल अधिकारी, एफ0सी0ए0
राजस्थान, जयपुर।

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कार्यालय प्रधान मुख्य वन संरक्षक (HoFF) राजस्थान, जयपुर

क्रमांक: एफ16()2013/एफसीए/प्रमुवसं/ 123

दिनांक: 12.1.17

सहायक महानिरीक्षक (वन),
(FC Division), भारत सरकार,
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,
इन्दिरा पर्यावरण भवन, अग्नि विंग, तृतीय तल,
अलीगंज, जोरबाग रोड, नई-दिल्ली-110003

विषय:- Approval under section 2(iii) of FCA, 1980 over 149-3002 ha forest land pertaining to open cost Iron ore mining in favour of M/s. Ojaswi Marble & Granite Pvt. Ltd. in distt. Sikar (Raj.)

संदर्भ:- आपका पत्रांक 8-57/2016-एफसी दि. 6.1.17

महोदय,

उपरोक्त विषयान्तर्गत संदर्भित पत्र का अवलोकन करें, जिससे मैसर्स ओजस्वी मार्बल एण्ड ग्रेनाइट प्रा0 लि0 के पक्ष में वन संरक्षण अधिनियम, 1980 की धारा 2 (iii) के तहत स्वीकृति कुछ शर्तोंधीन जारी की गई है। उप वन संरक्षक, सीकर के पत्रांक 257-60 दि. 9.1.2017 से उक्तानुसार जारी स्वीकृति पत्र दि. 6.1.17 में अधिरोपित शर्तों की पालना रिपोर्ट प्रेषित की है। यूजर एजेंसी ने प्रकरण में एन.पी.वी. की राशि हेतु 997 लाख रुपये केम्पाफण्ड में दि. 7.1.2017 को जमा कराये है।

अतः उक्तानुसार प्राप्त पालना रिपोर्ट एवं जमा धनराशि का ब्यौरा (निर्धारित प्रपत्र में) की छायाप्रतियां सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

संलग्न:- उक्तानुसार ।

भवदीय,

(भरत शैमनी)

अति0 प्रधान मुख्य वन संरक्षक,
प्रोटेक्शन एवं नोडल अधिकारी एफसीए,
राजस्थान, जयपुर

क्रमांक: एफ16()2013/एफसीए/प्रमुवसं/
प्रतिलिपि:-

124-27 दिनांक: 12.1.17

1. मुख्य वन संरक्षक, जयपुर।
2. अतिरिक्त निदेशक (खान) सतर्कता, पर्यावरण एवं विकास, नोडल अधिकारी वन भामलात, खान एवं भू-विज्ञान विभाग, खनिज भवन, उदयपुर।
3. उप वन संरक्षक, सीकर।
4. मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाइट प्रा0 लि0, 19-सी, पुराना फतेहपुरा, उदयपुर-313004

अति0 प्रधान मुख्य वन संरक्षक,
प्रोटेक्शन एवं नोडल अधिकारी एफसीए,
राजस्थान, जयपुर

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CHALLAN

http://forestsclearance.nic.in/UserAccount/Neft_Cb

AGENCY COPY

NEFT / RTGS CHALLAN for Ad-HOC CAMPA

Date : 07-01-2017

Agency Name.	M/S OJASWI MARBLES & GRANITES PVT. LTD.
Application No.	MIN224792016154
Location.	RAJASTHAN
Address.	19-C Old Fatehpura Udaipur
Amount(In Rs)	99700000/-

Amount in Words : Nine Crore Ninety-Seven Lakh Rupees Only

NEFT/RTGS to be made as per following details;

Beneficiary Name:	R IAN CAMPA
IFSC Code:	CORP0000633
Pay to Account No.	15085MIN224792016154
Bank Name & Address:	Corporation Bank FCS Bangalore 21/1, 3rd floor Jellita Towers Mission Road Bangalore -560027

- This Challan is strictly to be used for making payment to CAMPA by NEFT/RTGS only

BANK COPY

NEFT / RTGS CHALLAN for Ad-HOC CAMPA

Date : 07-01-2017

Agency Name.	M/S OJASWI MARBLES & GRANITES PVT. LTD.
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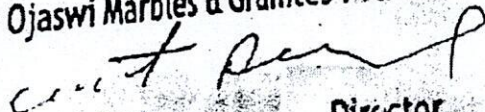
NEFT/RTGS to be made as per following details;

Beneficiary Name:	RAJASTHAN CAMPA
IFSC Code:	CORP0000633
Pay to Account No.	15085MIN224792016154
Bank Name & Address:	Corporation Bank FCS Bangalore 21/1, 3rd floor Jellita Towers Mission Road Bangalore -560027

- This Challan is strictly to be used for making payment to CAMPA by NEFT/RTGS only

After making successful payment, User Agencies may send a line of confirmation through
Email: helpdeskcampa@corpbank.co.in

For Ojaswi Marbles & Granites Pvt. Ltd.


Director

F. No. 8-107/2014-FC
Government of India
Ministry of Environment, Forest and Climate Change
(FC Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi - 110003
Dated: 30th January, 2017

To,

The Principal Secretary (Forests),
Department of Environment & Forests,
Government of Rajasthan,
Jaipur.

Sub: Diversion of 149.3002 ha of forest land for open cast Iron Ore Mining in favour of M/s Ojaswi Marble & Granite Pvt. Ltd. in District Sikar, Rajasthan.

Sir,

I am directed to refer to Addl. Principal Chief Conservator of Forests, Government of Rajasthan's letter No. F () 2013/FCA/PCCF/2824 dated 04th November, 2016 in response to this Ministry's letter of even number dated 3/10th March, 2016 on the above mentioned subject. After examination the information of the state government the following observations are made:

- i. The CCF Udaipur has stated that it is not appropriate to provide the land suitability certificate/land free from all encumbrance till the complete details of land are provided.
- ii. As per DSS report, out of 150 ha. of identified land for CA, 58.77 ha. is falling on Recoded Forest area of Rajasthan instead of non-forest land and therefore need clarification in this regard.
- iii. The Revised CA scheme has not been approved by Competent Authority.
- iv. The clear stand of the State Government on the complaint made by Shri Sunil Dutt Malik as forwarded by this Ministry's letter no. 11-46/2016-FC dated 03.02.2016 may be provided.

In view of above, I am directed to request the State Government to provide the information as above to this Ministry so that the proposal shall be placed before the approval of competent authority.

Yours faithfully,

(Rajagopal Prashant)

Assistant Inspector General of Forests (FC)

Copy to:

1. The PCCF, Government of Rajasthan, Jaipur.
2. The Nodal Officer, Office of the PCCF, Govt. of Rajasthan, Jaipur.
3. The Add. PCCF (Central) Regional Office, Lucknow.
4. User Agency
5. Monitoring Cell.
6. Guard file.

(Rajagopal Prashant)

Assistant Inspector General of Forests (FC)

कार्यालय प्रधान मुख्य वन संरक्षक (HoFF) राजस्थान, जयपुर ⁶⁷⁷
 क्रमांक: एफ 16()2013/एफसीए/प्रमुखसं/3276 दिनांक: 18.9.17

सहायक महानिरीक्षक (वन),
 भारत सरकार,
 पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,
 इन्दिरा पर्यावरण भवन, अग्नि विंग, तृतीय तल,
 अलीगंज, जोरबाग रोड, नई-दिल्ली-110003

विषय:- डायवर्जन ऑफ 149.3002 है0 ऑफ फॉरेस्ट लैंड फोर ऑपन
 कॉस्ट आयरन ओर माइनिंग इन फेवर ऑफ मै. ओजस्वी मार्बल
 एण्ड ग्रेनाइट प्रा. लि. इन डिस्ट्रिक्ट सीकर (राज0)।

संदर्भ:- आपका पत्रांक 8-107/2014-एफसी दि. 30.1.17

महोदय,

उपरोक्त विषयान्तर्गत आपके संदर्भित पत्र से 4 बिन्दुओं की अतिरिक्त सूचनाएं चाही गयी थी। मुख्य वन संरक्षक, उदयपुर के पत्रांक 1742 दि. 23.2.17 से प्राप्त बिन्दु सं. 1 से 3 की सूचना निम्नानुसार है:-

1. वनभूमि के बदले में प्राप्त होने वाली गैर वनभूमि वनमण्डल प्रतापगढ 14.2702 है0 एवं उदयपुर में 135.03 है0 की उपयुक्तता के संबंध में मुख्य वन संरक्षक, उदयपुर के पत्रांक 12324 दि. 24.9.16 एवं 13477 दि. 28.10.16 से टिप्पणी प्रेषित की गई है। पत्रों की छायाप्रतियां संलग्न है। भारत सरकार द्वारा अपने पत्र दि. 30.1.17 के बिन्दु सं. (i) में तथ्य अंकित किये है वह सम्भवतः मुख्य वन संरक्षक, उदयपुर के पत्र दि. 24.9.16 के अनुसार है। मुख्य वन संरक्षक, उदयपुर के पत्रांक 13477 दि. 28.10.16 में स्पष्ट टिप्पणी की जा चुकी है।
2. प्रस्तावित गैर वनभूमि के ओवर-लोपिंग के संबंध में उप वन संरक्षक, उदयपुर ने उनके पत्रांक 13042-43 दि. 30.12.16 से इस कार्यालय को प्रेषित की गई है। पत्र की छायाप्रति संलग्न है।
3. प्रस्तावित क्षतिपूर्ति वृक्षारोपण योजना का प्राक्कलन अनुमोदन कर संलग्न प्रेषित है यह पूर्व में प्रचलित दर अनुसार है। क्षतिपूर्ति वृक्षारोपण हेतु नवीनतम दर अनुसार राशि यूजर एजेंसी से वसूली करने हेतु वचनपत्र लिया जाना है।
4. बिन्दु सं. 4 के कम में निवेदन है कि प्रकरण में श्री सुनील दत्त मलिक द्वारा की गई शिकायत को जांच उपरांत पूर्णतया असत्य पाया गया था एवं इस बाबत पूर्ण रिपोर्ट दस्तावेजों सहित आपको इस कार्यालय के पत्रांक 2824 दि. 4.11.16 से भिजवायी जा चुकी है।

अतः उपरोक्तानुसार प्राप्त सूचनाएं संलग्न प्रेषित है।

संलग्न:- उक्तानुसार।

भवदीय,

(ए.क.सिंह)

अति० प्रधान मुख्य वन संरक्षक,
 प्रोटेक्शन एवं नोडल अधिकारी एफसीए,
 राजस्थान, जयपुर

दूरभाष कार्यालय-01412713759, फोन नं 9414059146

.....PTO



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Special Appeal (Writ) No. 301/2021

1. The State Of Rajasthan, through The Principal Secretary, Department Of Mines And Geology, Jaipur.
2. The Director, Mines And Geology, Rajasthan, Udaipur.
3. The Mining Engineer, Department Of Mines And Geology, Sikar.
4. The Additional Director Mines Environment And Development Nodal Officer, Forest Matters, Udaipur.
5. The Principal Secretary Forests, Department Of Environment And Forests, Government Of Rajasthan, Jaipur.



----Appellants

Versus

1. Ojaswi Marbles And Granites Pvt. Ltd., having its Regd. Office Of Village Bedla, Udaipur Raj., Through Its Authorized Signatory Shri Karunanidhi Joshi S/o Late Shri Bharat Bhusan Joshi.
2. The Union Of India, Through The Secretary, Ministry Of Mines, New Delhi.
3. The Secretary, Ministry Of Environment, Forest And Climate Change, Government Of India, Indira Prayavaran Bhavan, Aliganj, Jorbagh Road, New Delhi.

----Respondents

For Appellant(s) : Mr. Sandeep Shah, AAG with
Ms. Akshiti Singhvi

For Respondent(s) : Mr. Krishnan Venugopal, Sr. Adv.
through V.C. assisted by
Mr. Akhilesh Rajpurohit,
Mr. G.D. Bansal, through V.C.
Mr. Milap Chopra

**HON'BLE THE CHIEF JUSTICE MR. INDRAJIT MAHANTY
HON'BLE MR. JUSTICE VINIT KUMAR MATHUR**



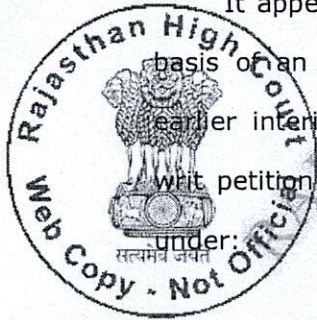
Order

08/07/2021

Heard learned counsel for the respective parties.

The present special appeal has come to be filed against the directions dated 18.03.2021 issued by the learned Single Judge in S.B. Civil Writ Petition No.15114/2016.

It appears that the impugned order came to be passed on the basis of an application moved by the State for vacation of an earlier interim order dated 09.01.2017 passed in the aforesaid writ petition. The said interim order dated 09.01.2017 reads as under:



"By way of this writ petition, the petitioner is seeking directions to the respondents to grant and execute the mining lease to the petitioner in terms of Letter of Intent (LoI) dated 5.12.14 issued in its favour for grant of mining lease of mining area 180 Hectares situated at Village-Dipas, Tehsil Neem Ka Thana, District Sikar.

Learned counsel appearing for the petitioner submits that the Central Government communicated its approval in terms of Section 5(1) of the Mines and Minerals (Development & Regulations) Act, 1956 (for short 'the MMDR Act, 1957') vide communication dated 9.12.13 for grant of mining lease to the petitioner and the State Government decided to grant the mining lease to the petitioner on 5.12.14 by way of issuing LoI, however, on account of failure on the part of the respondents in taking further steps for necessary clearance of Department of Forest and Department of Environment, the mining lease could not be executed in favour of the petitioner.

Learned counsel submitted that during the pendency of the petition, on 6.1.17, 'No Objection Certificate' (NOC) has already been issued by the Department of Forest in favour of the petitioner. That apart, it is submitted that the Government of India has issued a notification dated 4.1.17, clarifying that notwithstanding anything contained in clause (c) of sub-section (2) of Section 10A of the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (10 of 2015), where the condition of obtaining environment clearance has not been complied with by the applicant on or before 11.1.17, but all other



conditions specified in previous approval of Letter of Intent have been fulfilled, the applications shall be considered under the said Section and mining lease shall be granted by the concerned State Government in accordance with the notifications issued under the Environment (Protection) Act, 1986 and therefore, there is no reason as to why the respondents should not execute the mining lease in favour of the petitioner.

It is submitted that the application of the petitioner stands saved under Section 10A(2)(c) of the MMDR Act, 1957, but if the mining lease is not allotted in its favour on or before 11.1.17, the same would automatically stand lapsed and thus, it is absolutely necessary that the respondents are directed to execute the mining lease in favour of the petitioner pending fulfillment of requirement of obtaining the environment clearance.

Learned Additional Advocate General submitted that the State has no objection if the directions are issued by this Court to execute the mining lease in favour of the petitioner on fulfillment of other requirements pending issuance of Environment Clearance by the Government of India.

Thus, on the facts and in the circumstances of the case, the respondents are directed to grant the mining lease in favour of the petitioner on or before 11.1.2017 pending issuance of Environment Clearance by the Government of India. The allotment of mining lease in favour of the petitioner in terms of this interim order shall not create any right in favour of the petitioner and the same shall be subject to decision of this writ petition. On the basis of execution of the mining lease in favour of the petitioner in terms of this order, the petitioner shall not be entitled to commence the mining activity pending disposal of the petition.

Learned Additional Advocate General and learned Assistant Solicitor General seek three weeks time to file reply to the writ petition.

Time prayed for is allowed.

Put up after three weeks, as prayed."

The directions of the learned Single Judge contained in the order dated 09.01.2017 were not complied with and instead an application was filed for recall of order dated 09.01.2017 and thereafter the said recall application was withdrawn by the State with liberty to file an application for vacation of the said interim order. It appears that accordingly subsequent thereto an application for vacation of interim order dated 09.01.2017 has been filed and this application came to be rejected by the learned



Single Judge vide order dated 18.03.2021, which is impugned before us.

Mr. Sandeep Shah, learned AAG, on an earlier occasion when the matter was heard, submitted that the interim directions of this Court dated 09.01.2017 could not be implemented on a further ground i.e. notification of an amendment to the Mines and Minerals (Development and Regulation) Amendment Act, 2015 (hereinafter referred to as 'MMDRA Act') dated 28.03.2021.

Today when the matter was taken up, he, in his usual fairness, submitted that the case of the respondent (writ petitioner) is not covered by the amendment carried out by the Union of India to the MMDRA Act vide its notification dated 28.03.2021. He further submitted that the learned Single Judge in his order dated 09.01.2017, while directing execution of the mining lease, had observed that the same would be subject to the result of the writ petition and other conditions stated in the said order. He therefore, submitted that if this Court is not inclined to entertain the present special appeal, this Court should take consideration the conditions imposed in the interim order dated 09.01.2017.

Mr. Krishnan Venugopal, learned senior advocate appearing for the private respondent (writ petitioner) drew our attention to various aspects of the matter including the circular and the guidelines issued by the Ministry of Mines, Government of India dated 20.10.2016 whereby the Secretary after consulting with the Secretary of MoEFCC and DG, Forest, MoEFCC and pursuant to a meeting held amongst them on 17.10.2016 issued the said communication dated 20.10.2016 clarifying therein that the State was directed to immediately forward all applications under Section



2(iii) of the Forest (Conservation) Act, 1980 pending with it. Mr. Venugopal further drew our attention to the sanction granted to the respondent (writ petitioner) whereby the Ministry of Environment, Forest and Climate Change, Government of India granted sanction or approval under Section 2(iii) of the Forest (Conservation) Act, 1980 through communication dated 09.01.2017. The said communication also contains various conditions under which the sanction was accorded. It is a fact that in spite of the respondent (writ petitioner) having received the said approval under Section 2(iii) of the Forest (Conservation) Act, 1980 the State did not execute the mining lease and the private respondent, apprehending that the mining lease would not be executed by the cut-off date i.e. 11.01.2017, was compelled to approach this Court by way of writ petition seeking such a direction. In the said writ petition, vide order dated 09.01.2017 interim directions were issued by this Court to the State to execute the mining lease on or before 11.01.2017. In spite of such directions, the mining lease was not executed and instead the State filed an application for recall of that order and the said recall application was later on withdrawn and thereafter an application for vacation of the interim order was filed. The said application was rejected by the impugned interim order dated 18.03.2021. Thus, the State has not yet executed and implemented the interim directions and litigation has been proceeding till date.

Mr. Venugopal also drew our attention to the clarification issued by the Ministry of Mines dated 04.01.2017 clearly stating therein that notwithstanding anything contained in clause (c) of sub-section(2) of Section 10A of the MMDRA Act, it is clarified that where the condition of obtaining environmental clearances has not



been complied with by the applicant on or before 11.01.2017, but all other conditions specified in previous approval or the Letter of Intent have been fulfilled, the applications shall be considered under that section and mining lease shall be granted by the concerned State Governments in accordance with the notifications issued under the Environment (Protection) Act, 1986.

After hearing learned counsel for the respective parties and taking into consideration the submissions advanced by the learned counsel representing the parties, we are of the considered view that the interim orders passed by this Court on 09.01.2017 are absolutely in order and in consonance with law. We find no justification in entertaining any challenge thereto and we also affirm the subsequent order dated 18.03.2021 by which the application seeking vacation of the interim order dated 09.01.2017 has come to be rejected.

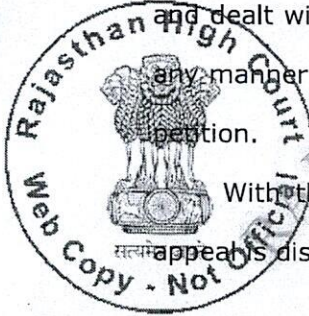
We make it clear that the State shall execute the mining lease in favour of the private respondent (writ petitioner) within a period of 15 days from today. The mining lease shall reflect that it shall be given effect to on or before 11.01.2017 (the cut-off date). By way of mention, we may indicate here that grant of mining lease by itself will not enable the respondent (writ petitioner) to commence mining operations without complying with the conditions mentioned in the Letter of Intent as well as the conditions imposed by the Union of India in its approval and FC clearance granted to the private respondent (writ petitioner) under Section 2(iii) of the Forest (Conservation) Act, 1980.

We further make it clear that grant of mining lease in favour of the respondent (writ petitioner) shall be subject to the outcome of the pending writ petition and the parties are at liberty to



proceed with the matter thereafter. The conditions imposed in the interim order dated 09.01.2017 shall remain in force. We also make it clear that if the private respondent (writ petitioner) moves for clearances under other provisions of the Forest (Conservation) Act, 1980 and other provisions of law for the purpose of commencing the mining operations, the same shall be entertained and dealt with expeditiously in accordance with law. It shall not in any manner be denied or withheld on account of pendency of writ petition.

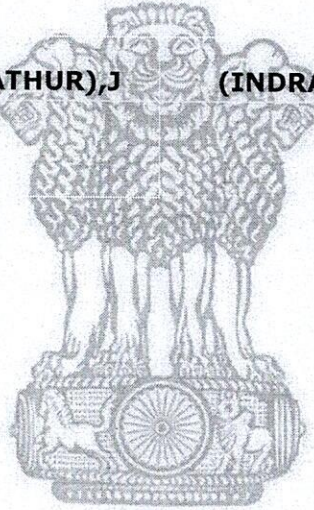
With the aforesaid observations and directions, the special appeal is dismissed.



(VINIT KUMAR MATHUR),J

(INDRAJIT MAHANTY),CJ

235-MohitTak/-



सत्यमेव जयते

राजस्थान सरकार

कार्यालय सहायक खनि अभियन्ता, खान एवं भू-विज्ञान विभाग, नीमकाथाना


कमांक: सखअ/नीम/सी.सी.II/प्र./एम.एल. 140/2011/

दिनांक: .12.2021

:: ज्ञापन ::

शासन उपसचिव के आदेश प.(114)/खान/ग्रुप-2/2012 पार्ट जयपुर, दिनांक 08.12.2021 द्वारा खनिज आयरन और निकट ग्राम दीपास तहसील-नीमकाथाना जिला सीकर में खनन पट्टा मैसर्स ओजस्वी मार्बल एण्ड ग्रेनाईट प्राईवेट लिमिटेड के पक्ष में खान एवं खनिज (विकास एवं विनियमन) अधिनियम, 1957 तथा खनिज (परमाणु और हाईड्रोकार्बन उर्जा खनिजों से भिन्न) रियायत नियम, 2016 तथा उसमें समय-समय पर होने वाले संशोधनों, उल्लेखित नियमों निबन्धों और प्रतिबन्धों के साथ निम्न निबन्धों और प्रतिबन्धों पर माननीय न्यायालयों द्वारा पारित किये जाने वाले आदेशों/निर्णयों के अध्यक्षीन खनन पट्टा संविदा पंजीयन तिथि से 50 वर्ष के लिए स्वीकृत किया गया। खनन पट्टा का संविदा निष्पादन दिनांक 16.12.2021 को किया जाकर उप पंजीयक कार्यालय नीमकाथाना में संविदा का पंजीयन दिनांक 18.12.2021 को कराया गया। अतः दिनांक 18.12.2021 से 50 वर्ष की अवधि के लिए प्रभाव में आया।

1.	नाम खनिज	आयरन और
2.	क्षेत्रफल	180.00 हैक्टर
3.	क्षेत्र का विवरण	निकट ग्राम-दीपास, तहसील-नीमकाथाना जिला-सीकर में विवरण सूची अनुसार।
4.	खननपट्टा की अवधि	दिनांक 18.12.2021 से 50 वर्ष तक।
5.	अधिशुल्क	एमएमआरडी एक्ट-1957 की द्वितीय अनुसूची एवं उसमें समय-समय पर होने वाले संशोधनानुसार।
6.	डी.एम.एफ.टी की राशि	खान एवं खनिज (जिला खनिज संस्थान में अभिदाय) नियम-2015 के नियम 2 (बी) एवं उसमें समय-समय पर होने वाले संशोधन अनुसार।
7.	एन.एम.ई.टी की राशि	एम.एम.डी.आर.एक्ट 1957 की धारा 9 सी व उसमें समय-समय पर होने वाले संशोधन अनुसार।
8.	स्थिरभाटक	एम.एम.आर.डी एक्ट-1957 की तृतीय अनुसूची एवं उसमें समय-समय पर होने वाले संशोधनानुसार।
9.	परफोरमेन्स सिक्योरिटी	इण्डियन बैंक, उदयपुर द्वारा जारी बैंक गारण्टी नम्बर 00615IG210000011 दिनांक 30.11.2021 से 29.11.2026 तक रु 22,50,03,195/- व 00615IG170000002 दिनांक 06.01.2017 से 05.01.2028 तक रु 5,17,22,655/- कुल राशि रु 27,67,25,850/- जमा कराई गई।
10.	भूतल भाटक	जैसा कि राजस्व अधिकारी निर्धारित करें।
11.	अन्य कर	जैसा कि समय-समय पर केन्द्र सरकार एवं राज्य सरकार निर्धारित करे।
12.	अन्य शर्त	अनुदानी द्वारा खनन पट्टा संविदा निष्पादन से पूर्व खनिज संरक्षण और विकास नियम-2017 के तहत नियमानुसार वित्तीय आश्वासन जमा कराया जायेगा व अनुदानी को चारागाह भूमि में खनन कार्य अनुज्ञेय नहीं होगा।

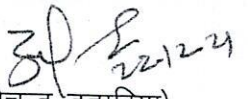

 (अमीचन्द दुहारिया)
 सहायक खनि अभियन्ता
 नीमकाथाना

क्रमांक:-सम/1273

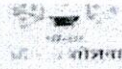
दिनांक 22.12.2021

प्रतिलिपि:-निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. श्रीमान् शासन सचिव, खान (ग्रुप.2) विभाग राजस्थान जयपुर को आपके आदेश प. (114)/खान/ग्रुप-2/2012 पार्ट जयपुर को माईन्स डवलपमेन्ट एण्ड प्रोडक्शन एग्रीमेन्ट व खनन पट्टा की पंजीयन शुदा संविदा की एक प्रति के साथ दिनांक 08.12.2021 के सन्दर्भ में।
2. श्रीमान् निदेशक महोदय, खान एवं भू-विज्ञान विभाग राजस्थान उदयपुर को माईन्स डवलपमेन्ट एण्ड प्रोडक्शन एग्रीमेन्ट व खनन पट्टा की पंजीयन शुदा संविदा की प्रति मय मूल स्टाम्प 50,000 के साथ ।
3. श्रीमान् अतिरिक्त निदेशक (खान) जयपुर क्षेत्र जयपुर को माईन्स डवलपमेन्ट एण्ड प्रोडक्शन एग्रीमेन्ट व खनन पट्टा की पंजीयन शुदा संविदा की एक प्रति के साथ ।
4. श्रीमान् अधीक्षण खनि अभियन्ता जयपुर वृत्त जयपुर को आपके पत्र क्रमांक:- अखअ/जय/नीम/प्रधान/एम.एल.140/2011/1175 दिनांक 13.12.2021 के सन्दर्भ में माईन्स डवलपमेन्ट एण्ड प्रोडक्शन एग्रीमेन्ट व खनन पट्टा की पंजीयन शुदा संविदा की एक प्रति के साथ ।
5. श्रीमान् क्षेत्रीय खान नियंत्रक, भारतीय खान ब्यूरो अजमेर माईन्स डवलपमेन्ट एण्ड प्रोडक्शन एग्रीमेन्ट व खनन पट्टा की पंजीयन शुदा संविदा की एक प्रति के साथ ।
6. श्रीमान् महानिदेशक, भारतीय खान ब्यूरो नागपुर (महाराष्ट्र)।
7. श्रीमान् जिला कलक्टर महोदय, सीकर को माईन्स डवलपमेन्ट एण्ड प्रोडक्शन एग्रीमेन्ट व खनन पट्टा की पंजीयन शुदा संविदा की एक प्रति के साथ ।
8. श्रीमान् तहसीलदार महोदय, नीमकाथाना जिला सीकर।
9. श्रीमान् श्रमप्रवर्तक अधिकारी, सीकर।
10. श्रीमान् मेम्बर सेक्रेट्री, राजस्थान प्रदूषण नियंत्रण मंडल, जयपुर।
11. मांग लिपिक/अधिशुल्क निर्धारण लिपिक/संगणक/सूचना सहायक कार्यालय हाजा।
12. खनि कार्यदेशक/सर्वेयर कार्यालय हाजा।
13. कार्यालय मानचित्रकार।
14. मैसर्स ओजस्वी मार्बल एण्ड ग्रेनाईट्स प्रा0लि0 विलेज बेदला, उदयपुर-313004 (राज.) माईन्स डवलपमेन्ट एण्ड प्रोडक्शन एग्रीमेन्ट व खनन पट्टा की पंजीयन शुदा संविदा की एक प्रति के साथ ।


(अमीचन्द दुहारिया)

सहायक खनि अभियन्ता
नीमकाथाना



कार्यालय प्रधान मुख्य वन संरक्षक (वन बल प्रमुख) राजस्थान,

अरण्य भवन, झालाना संस्थानिक क्षेत्र, जयपुर-302004

क्रमांक: एफ 16()2013/एफसीए/प्रमुवसं/

दिनांक

सहायक महानिरीक्षक (वन),
भारत सरकार,
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,
इन्दिरा पर्यावरण भवन, अग्नि विंग, तृतीय तल,
अलीगंज, जोरबाग रोड़, नई-दिल्ली-110003

विषय:- डायवर्जन ऑफ 149.3002 है0 ऑफ फोरेस्ट लैण्ड फोर ऑपन कॉस्ट
आयरन ओर माइनिंग इन फेवर ऑफ मै. ओजस्वी मार्बल एण्ड ग्रेनाइट प्रा.
लि. इन डिस्ट्रिक्ट सीकर (राज0)।

महोदय,

उपरोक्त विषयान्तर्गत लेख है कि प्रकरण में आपके पत्रांक 8-57/2016-एफसी
दिनांक 06.01.2017 से वन (संरक्षण) अधिनियम, 1980 की धारा 2(iii) के तहत स्वीकृति प्रदान की
है जिसकी पालना इस कार्यालय के पत्रांक 123 दिनांक 12.01.2017 से आपको भेजी गई है।
अतिरिक्त निदेशक (खान) सतर्कता, पर्यावरण एवं विकास, नोडल अधिकारी वन मामलात, खान एवं
भू-विज्ञान विभाग, उदयपुर के पत्रांक 4485 दिनांक 20.12.2021 से खनन पट्टा एग्रीमेंट प्रस्तुत
किया है जिसका एक सैट आवश्यक कार्यवाही हेतु संलग्न प्रेषित है।

संलग्न:- उक्तानुसार।

भवदीय,

(Handwritten Signature)

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

क्रमांक: एफ 16()2013/एफसीए/प्रमुवसं/ 3722-26 दिनांक 21.12.21
प्रतिलिपि:- निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है:-

1. शासन सचिव, वन विभाग, राजस्थान, जयपुर को उक्तानुसार खनन पट्टा एग्रीमेंट के एक सैट सहित।
2. मुख्य वन संरक्षक, उदयपुर।
3. अतिरिक्त निदेशक (खान) सतर्कता, पर्यावरण एवं विकास, नोडल अधिकारी वन मामलात, खान एवं भू-विज्ञान विभाग, खनिज भवन, उदयपुर।
4. उप वन संरक्षक, उदयपुर।
5. मै. ओजस्वी मार्बल एण्ड ग्रेनाइट प्रा. लि., 19-सी, पुराना फतेहपुरा, उदयपुर-313004

(Handwritten Signature)

(भवानी सिंह)
उप वन संरक्षक (एफसीए)
अरण्य भवन, जयपुर



राजस्थान RAJASTHAN

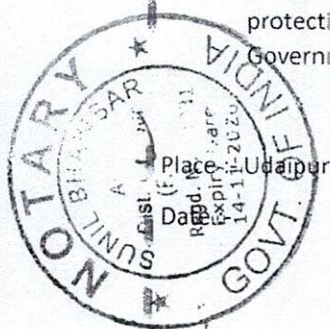


BE 437411

(UNDERTAKING FOR PAYMENT OF COST OF COMPENSATION AFFORESTATION)

I Vinay Rawal S/o Shyam Lal Rawal, Age 42 year, Resident 1-kha-16, Machla Mangra, Sec. 11, Udaipur, Raj. As a authorised Director of M/s Ojaswi Marbles and Granite Pvt. Ltd. Do solemnly affirm on oath as under:-

1. That i am an Indian Citizen and residing in India.
2. That the company has grant mining lease near village Dipas, Tehsil- Neem ka thana, District- Sikar (Raj.) for mineral Iron Ore over an area of 180.00 hect. Out of which an area of 149.0242 hect. Falls in forest land. For the transportation of the mineral and reach to mines required 0.2760 hect (out side the lease area for road purpose only). Hence total 149.3002 forest land required for diversion proposal has been submitted.
3. That it is undertaken to bear the cost of raising and maintenance of COMPENSATORY AFFORESTATION (C.A.) and / or penal compensatory afforestation as well as cost for protection and regeneration of safety zone, etc. as per the scheme prepared by the State Government in the forest land falling in applied areas.



(Signature)
DEPONENT


VINAY RAWAL


(AUTHORIZED DIRECTOR)

OJASWI MARBLES AND GRANITE PVT. LTD

रूपये 100 स्टाम्प सं. ५२२५५
 श्री. ~~मानस मीर~~ श्री. ~~प्रदीप~~
 जाति उम्र निवासी UDAIPUR
 हस्ते/स्वय श्री
 को वास्ते शपथ-पत्र/इकरार / विक्रय पत्र २५.५
 के लिए। दिनांक २९/११/२१ को दिया गया।


 हस्ता: क्रता


 हस्ता: विक्रेता
 मनीष पोरवाल
 ला.न. 36/2016, उदयपुर

राजस्थान स्टाम्प अधिनियम, 1998 के अन्तर्गत स्टाम्प राशि पर प्रभारित अधिभार	
1. आधारभूत अवसंरचना सुविधाओं हेतु (धारा 3-क)-10 % रूपये	10
2. गाय और उनकी नस्ल के संरक्षण और संवर्धन हेतु (धारा 3-ख)- 20 % रूपये	20
 हस्ता. स्टाम्प वैण्डर	कुल 30 योग



VERIFICATION

I Vinay Rawal S/o Shyam Lal Rawal, Age 42 year, Resident 1-kha-16, Machla Mangra, Sec. 11, Udaipur, Raj. As a authorised Director of M/s Ojaswi Marbles and Granite Pvt. Ltd. Truly verify that all the above submissions from serial no. 1 to 3 of this affidavit are true and correct to the best of my knowledge.

Place :- Udaipur

Date :-

DEPONENT

VINAY RAWAL

(AUTHORIZED DIRECTOR)

OJASWI MARBLES AND GRANITE PVT. LTD



Solemnly affirmed before me admitted contents to be true & correct.

SUNIL BHAWSAR
NOTARY, UDAIPUR (R)

28 DEC 2021



राजस्थान RAJASTHAN

23 NOV 2021

BE 437412

मैं श्री विनय रावल पुत्र श्री श्याम लाल रावल, उम्र 42 वर्ष, निवासी 1-खा-16, माछला मगरा, सेक्टर 11 उदयपुर (राज.) डायरेक्टर मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि. उदयपुर (राज.) शपथपूर्वक बयान करता हु कि

1. मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि. उदयपुर (राज.) के पक्ष में स्वीकृत खनन पट्टा 140/2011, खनिज-आयरन ओर, निकट ग्राम- दीपास, तहसील- नीम का थाना, जिला- सीकर (राज.) में स्थित नाला के दोनो तरफ 150 मीटर छोड कर खनन कार्य किया जायेगा।



(Signature)
विनय रावल

डायरेक्टर

मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि.

सत्यापन

मैं श्री विनय रावल पुत्र श्री श्याम लाल रावल, उम्र 42 वर्ष, निवासी 1-खा-16, माछला मगरा, सेक्टर 11 उदयपुर (राज.) डायरेक्टर मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि. उदयपुर (राज.) सत्यापित करता हु कि उपर वर्णित शपथ पत्र में बिन्दु संख्या 1 मेरी जानकारी एवं विश्वास में पूर्णतया सही एवं सत्य है।

दिनांक:-

स्थान:- उदयपुर

(Signature)
विनय रावल

डायरेक्टर

Solemnly affirmed before me admitted contents to be true & correct. मैसर्स ओजस्वी मार्बल्स एण्ड ग्रेनाईट प्रा. लि.

SUNIL BHAWSAR
NOTARY, UDAIPUR (R.A.S.)

28 DEC 2021

रुपये 100 स्टाम्प सं. 52703
 श्री. होमलाल मीरम अशोक श्री. शर्मा
 जाति..... उम्र..... निवासी UDAIPUR
 हस्ते/स्वय श्री श्री. शर्मा
 को वास्ते शपथ-पत्र/इकरार / विक्रय पत्र... श्री. शर्मा.....
 के लिए। दिनांक... 29/11/21..... को दिया गया।

श्री. शर्मा
 हस्ता. क्रेता

श्री. शर्मा
 हस्ता. विक्रेता
 मनीष पोरवाल
 ला. नं. 36/2016, उदयपुर

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