



भारत सरकार  
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE  
CHANGE

क्षेत्रीय कार्यालय, गांधीनगर/ Regional Office, Gandhinagar ( Sub  
Regional Office, Jaipur)



ए वींग- 407 एवं 409, "अरण्य भवन", सी.एच.-3 सर्किल के समीप, सेक्टर-10ए, गांधीनगर-382010 / A  
wing- 407 & 409, "ARANYA BHAWAN", Near CH-3 Circle, Sector-10A, Gandhi Nagar-382010  
Email: iro.gandhingr-mefcc@gov.in

दिनांक: 10<sup>th</sup> जुलाई, 2023

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

(Online Proposal No: FP/RJ/MIN/142600/2021)

विषय: Diversion of 10.4162 Ha Forest Land In Favour of RDSA MINING LLP  
For Opencast Marble Mining (PlotNo.02/2019) in Revenue Village- Kela Mela,  
Tehsil- Pipalkhunth, District - Pratapgarh, Rajasthan.

सन्दर्भ: शासन सचिव, राजस्थान का पत्रांक-प.1(137)वन/2022, जयपुर, दिनांक-11.01.2023.

महोदय,

उपरोक्त विषयक संदर्भित पत्र का आशय ग्रहण करने का कष्ट करें जिसके द्वारा प्रश्नगत प्रकरण में वन  
(संरक्षण) अधिनियम, 1980 की धारा (2) के अन्तर्गत भारत सरकार की स्वीकृति माँगी गयी थी।

प्रकरण के परीक्षणोपरान्त केन्द्र सरकार उपरोक्त विषयांकित परियोजना हेतु 10.4162 हे० वनभूमि के  
प्रत्यावर्तन एवं 4245 वृक्षों के पातन की सैद्धान्तिक स्वीकृति (In-principle/Stage-I approval)  
निम्नलिखित शर्तों पर प्रदान करती है:-

**A: Conditions which needs to be complied prior to handing over of forest  
land by the State Forest Department:**

1. The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.
2. The State Government shall charge the Net Present Value (NPV) for the **10.4162 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 and **revision of NPV vide Ministry letter No. 5-3/2011-FC(Vol-1) dated 06.01.2022** in this regard.
3. The non-forest land proposed for CA shall be transferred and mutated in the name of Forest Department and notified as RF/PF prior to Stage-II approval. A copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the State Forest Act as the case may be, will be submitted by the State Government prior to Final/Stage-II approval.

*(Signature)*  
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4. 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.
5. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
6. **The boundary of the diverted forest land, mining lease area and safety zone shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer.**
7. The KML file of the area to be diverted and the CA areas shall be uploaded on the e-Green watch portal with all requisite details, before issuing working permission towards linear projects or submitting compliance report for seeking Final/Stage-II approval, as the case may be.
8. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal.

**B: Conditions which needs to be strictly complied on field after handing over of forest land to the User Agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Final/Stage-II approval:**

1. Legal status of the forest land shall remain unchanged.
2. Forest land will be handed over to the User Agency 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 10.50 ha non-forest land, Khasra No. 68/4, Village- Sevanagar, Tehsil- Dhariyavad, District- Pratapgarh and 27.7666 ha degraded forest land, Compartment No. Sagbari (PF), Village- Kelamela, Tehsil- Pipalkhunt, District- Pratapgarh of Rajasthan at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and mono-culture of any species may be avoided.
4. User agency shall restrict the felling of trees to 4245 trees/minimum numbers in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
5. **The User Agency either itself or through the State Forest Department shall undertake fencing, protection and afforestation of the safety zone area (7.5 meter) strip shall be kept within the mining lease or mining cluster, as applicable and such other areas as specified in the approved mining plan) at the project cost. Area of safety zone of a mining lease shall be a part of the total area of the mining lease.**
6. The user agency shall undertake mining and reclamation of the mined out area as per the approved mining plan and the directions of the concerned Divisional Forest Officer.
7. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.
8. Land so diverted shall revert back to the Forest Department in case it is not needed for the above use after due restoration to its original status (as far as possible and to the satisfaction of State Forest Department).

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9. No damage to the flora and fauna of the adjoining area shall be caused.
10. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
11. The layout plan of the proposal shall not be changed without prior approval of Central Government.
12. **The change in the layout plan of the mining lease, if required, shall be done as prescribed in the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018 and Chapter-5 of Comprehensive Guideline F. No. 5-2/2017-FC dt 28/03/2019.**
13. No labour camp shall be established on the forest land.
14. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
15. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
16. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
17. **The period of diversion of the said forest land shall be co-terminus with the period of the mining lease granted under the Mines and Minerals (Development & Regulating) Act, 1957 or Rules framed thereunder.**
18. The forest land shall not be used for any purpose other than that specified in the project proposal.
19. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India.
20. The User Agency shall submit the annual self compliance report in respect of the above stated conditions to the State Government and Integrated Regional Office, Jaipur by the end of March every year.
21. The User Agency shall comply with all the provisions of the 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.
22. 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.
23. 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.
24. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

**Specific Conditions:**

1. **The User Agency will not use the diverted land for construction of buildings and other non-site specific activities.**
2. **Muck will not be disposed on forest/ charagah land outside the proposed diversion land.**
3. **Six feet high boundary wall shall be constructed and plantation in 10 meter strip along the wall separating the forest land and diverted land at the cost of the User Agency.**

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**4. Six feet high boundary wall shall be constructed along the boundary of the Non-Forest Land (NFL) proposed for CA towards the habitation and agriculture fields to prevent encroachment at the cost of User Agency.**

After receipt of compliance report on fulfillment of all of the above conditions from the State Government, proposal will be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. The User Agency shall take up the work as per the guidelines in force and after ensuring that all necessary clearances for the entire stretch are in place. Working permission, if any issued, shall be intimated to IRO, Jaipur. Transfer of forest land shall not be effected till final approval is granted by the Central Government in this regard.

Further, it may also be noted that this **In-principle/Stage-I** approval shall be valid for a period of 5 years from the date of issue of this letter. In the event of non-compliance of the above conditions, this In-principle/Stage-I approval shall be revoked after **five (05) years**.

भवदीय/Sincerely,  
  
 10/07/2023  
 (श्रवण कुमार वर्मा/Shrawan Kumar Verma)  
 क्षेत्रीय अधिकारी/Regional Office,  
 गांधीनगर/Gandhinagar.

**प्रतिलिपि: (ई-मेल द्वारा)**

1. वन महानिरीक्षक (आर.ओ.एच.क्यू.), भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, इन्दिरा पर्यावरण भवन, जोर बाग रोड़, अलीगंज, नई दिल्ली-110003.
2. अपर प्रधान मुख्य वन संरक्षक एवं नोडल अधिकारी (वन संरक्षण), वन विभाग, अरण्य भवन, झालाना इंस्टिट्यूशनल एरिया, जयपुर, राजस्थान।
3. उप वन संरक्षक, प्रतापगढ़ वनमण्डल, प्रतापगढ़, राजस्थान।
4. मुख्य कार्यकारी अधिकारी, आर.डी.एस.ए. माईनिंग एल.एल.पी., उदयपुर, राजस्थान।
5. आदेश पत्रावली।