

I/42901/2023

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

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Indira Paryavaran Bhawan,  
 Jor Bag Road, Aliganj,  
 New Delhi - 110003.

**Dated: 12<sup>th</sup> May, 2023**

To,

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

**Subject: Proposal for diversion of 100.05 ha of forest land in favour of NPCIL for Mahi Banswara, Rajasthan Atomic Power Project (MBRAPP)-1 to 4 in the State of Rajasthan(Online proposal No. FP/RJ/Others/22621/2016).**

Madam/Sir,

I am directed to refer to the Government of Rajasthan's letter No. FP/RJ/Others/22621/2016 on 06.06.2022 on the subject mentioned above seeking prior approval of the Central Government under Section-2 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.

2. After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, and its acceptance by the competent authority in this Ministry, ***In-principle/ Stage-1 approval*** of the Central Government is hereby granted for diversion of 100.05 ha of forest land in favour of NPCIL for Mahi Banswara, Rajasthan Atomic Power Project (MBRAPP)-1 to 4 in the State of Rajasthan subject to fulfillment of the following conditions:


- i. Legal status of the diverted forest land shall remain unchanged.
- ii. *The user agency shall utilize 27.47 ha forest land for operating stand and Pipeline Corridors and remaining area of forest land i.e. 72.58 ha. will be maintained as green cover. The user agency shall develop 72.58 ha. as Green Belt at the project cost under the supervision of State Forest Department. The State Forest Department shall be given free access to the area proposed for diversion for its management.*
- iii. *The minimum number of trees shall be felled and the felling shall be done under the supervision of State Forest Department.*
- iv. *User Agency will not allow any direct discharge from the project site to the Dam water.*
- v. *Since the Ghatol DFL site proposed for CA is situated on plateau, which is good grass land having heavy biotic pressure, this area should be properly fenced and plantation should be done after carrying out proper soil-moisture conservation (SMC) works.*
- vi. **Compensatory Afforestation:**

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- a. The Compensatory Afforestation over the identified degraded forest land of 304 ha. ha in two patches located under Banswara district of Rajasthan shall be raised by the State Forest Department at the project cost. At least 1000 saplings per ha shall be planted over identified CA land. If this is not possible to plant these many seedlings in the identified DFL, the balance seedlings, if any, will be planted in another degraded forest land as per the prescription of the Working Plan at the cost of the User Agency.
- b. 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 user agency. The CA will be maintained for 10 years. The scheme may include afforestation of indigenous species with appropriate provision for anticipated cost increase for works scheduled for subsequent years.
- c. The KML files of diverted area and the CA areas shall be uploaded on the e-Green watch portal with all requisite details prior to Stage II approval;
- vi. The User Agency shall transfer the funds towards the cost of Net Present Value (NPV) of the forest land being diverted under this proposal in accordance with the MoEF&CC's guidelines dated 6.01.2022 read with guidelines dated 19.01.2022.
- vii. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- viii. The User Agency shall implement the R & R Plan as per the R&R policy of State government in consonance with National R & R policy, Government of India before commencement of the project work and implementation. The said R&R plan will be monitored by the state government / Regional office of MoEF & CC along with indicators for monitoring and expected observable milestones.
- ix. All the funds received from the user agency under the project shall be transferred/deposited in the account of National Authority only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other modes will not be accepted as compliance of the Stage-I clearance
- x. The complete compliance of the FRA, 2006 shall be ensured by the State Govt.;
- xi. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
- xii. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
- xiii. At the time of payment of the Net Present Value (NPV) at the present 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.
- xiv. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
- xv. Adequate greenery by planting trees will be maintained around the project area in view of the safety measures for running the Atomic Power Project .
- xvi. No labour camp shall be established on the forest land and 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;

  
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- xvii. The forest land shall not be used for any purpose other than that specified in the project proposal.
- xviii. No damage to the flora and fauna of the adjoining area shall be caused;
- xix. The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
- xx. Any other condition that the concerned Integrated Regional Office of this Ministry may stipulate, with prior approval of competent authority, in the interest of conservation, protection and development of forests & wildlife;
- xxi. The user agency shall comply 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; and
- xxii. Violation of any of these conditions 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.

After receipt of compliance report on *fulfilment* of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Yours faithfully,

(Suneet Bhardwaj)

Assistant Inspector General of Forests

**Copy to: -**

1. The Principal CCF & (HoFF), Government of Rajasthan, Jaipur;
2. The Regional Officer, Integrated Regional Office of MoEF&CC, Jaipur, Rajasthan;
3. The Nodal Officer(FCA), O/o the PCCF, Government of Rajasthan, Jaipur;
4. User Agency; and
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi Delhi for uploading on PARIVESH portal.