



भारत सरकार

Government of India

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय, जयपुर
Integrated Regional Office, Jaipur



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पत्र संख्या-8बी/राज0/04/10/2021/एफ.सी./27

दिनांक: 18.06.2021

सेवा में,

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

(Online Proposal No: FP/RJ/Trans/44930/2020)

विषय: Diversion of 4.95 ha. forest land in favour of Powergrid Fatehgarh Transmission Limited for construction of 400 KV D/C BHADLA (PG) Bhadla 2 (TWIN HTLS) Transmission Line, District-Jodhpur, Rajasthan (Total Length 48.345 km).

सन्दर्भ: शासन सचिव, राजस्थान का पत्रांक-प.1(27)वन/2021, जयपुर, दिनांक-11.06.2021.

महोदय,

उपरोक्त विषयक शासन सचिव, राजस्थान सरकार, जयपुर के पत्रांक प.1(27)वन/2021 दिनांक 15.03.2021 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।

प्रश्नगत प्रकरण में इस कार्यालय के समसंख्यक पत्र दिनांक-26.03.2021 द्वारा अतिरिक्त सूचनाएँ चाही गई थीं जिसकी अनुपालना शासन सचिव, जयपुर, राजस्थान के उपरोक्त संदर्भित पत्र द्वारा प्रस्तुत की गयी है। प्रस्तुत अनुपालना पर विचारोपरान्त केन्द्र सरकार उपरोक्त विषयांकित परियोजना हेतु 4.95 हे० वनभूमि के प्रत्यावर्तन एवं 179 पोल्स के पातन की सैद्धान्तिक स्वीकृति निम्नलिखित शर्तों पर प्रदान करती है:-

1. Legal status of the forest land shall remain unchanged.
2. Compensatory afforestation shall be taken up by the Forest Department over 15.00 ha degraded forest land in Compartment No. Osian-4, Village-Osian, Range Osian, District-Jodhpur at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
3. 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.
4. The State Government shall charge the Net Present Value(NPV) for the 4.95 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.
5. 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.
6. User agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.

7. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
8. The User agency in consultation with the State Forest Department prepare a detailed scheme for creation and maintenance of plantation of dwarf species (preferably medicinal plants) in right of way under the transmission line and deposit the cost for execution of the said scheme to the State Forest Department.
9. (a) The user agency at its cost shall provide bird deflectors, which are to be fixed on upper conductor of transmission line at suitable intervals to avoid bird hits.
(b) Line markers of contrast colours should be placed at a distance of 5 to 10 meters.
(c) The bird deflectors should cover 100% of the span of the Transmission line near Conservation Reserve.
(d) During construction phase fencing and use of nets should be done for protection of Wildlife.
10. The User Agency shall comply with the guidelines for laying transmission lines through forest areas issued by Ministry vide letter no. 7-25/2012-FC dated 05/05/2014 & 19/11/2014.
11. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
12. The layout plan of the proposal shall not be changed without prior approval of Central Government.
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 under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
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. 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.
21. 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.
22. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal.
23. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

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, by this office.

The order for transfer of forest land to user agency shall not be issued by the State Government till final approval order for diversion of forest land is issued by Government of India.

भवदीय,

(प्राची गंगवार)

उप वन महानिरीक्षक (केन्द्रीय)/
क्षेत्रीय अधिकारी, जयपुर

प्रतिलिपि : (ई-मेल द्वारा)

1. मुख्य वन संरक्षक(वन संरक्षण) एवं नोडल अधिकारी, वन विभाग, अरण्य भवन, झालाना इंस्टिट्यूशनल एरिया, जयपुर, राजस्थान।
2. उप वन संरक्षक, जोधपुर वन मण्डल, जोधपुर, राजस्थान।
3. उम्र महा प्रबन्धक, पॉवर ग्रिड कारपोरेशन ऑफ इण्डिया लिमिटेड, 115, नंदपुरी कॉलोनी, नागौर रोड, जोधपुर।
4. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, एकीकृत क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु/आवेष्ट पत्राकली।

(प्राची गंगवार)

उप वन महानिरीक्षक (केन्द्रीय)/
क्षेत्रीय अधिकारी, जयपुर