

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

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

**Dated: 11<sup>th</sup> March, 2022**

To

**The Principal Secretary (Forests)**

Government of Rajasthan,  
Jaipur

**Sub: Diversion of 398.0085 ha of forest land in favour of DMG, Rajasthan in Pahadpur Block A & B for mining and generation of employment and earning of revenue for Government in Bharatpur District in the State of Rajasthan (FP/RJ/MIN/125714/2021).**

Madam/Sir,

I am directed to refer to the Government of Rajasthan's proposal No. FP/RJ/MIN/125714/2021 uploaded on PARIVESH portal for seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 and to say that the above subject proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act. After careful consideration of the proposal by the Forest Advisory Committee (FAC) and after its recommendation, and approval of competent authority in the Ministry, ***In-principle/Stage-I*** approval was accorded vide this Ministry's letter of even number dated 11.06.2021 subject to fulfilment of certain conditions. The State Government has furnished compliance report in respect of the conditions stipulated in the approval and requested the Central Government to grant final approval.

2. In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Rajasthan vide their Letter No. No.P.1 (42) Van/2021 dated 02.03.2021, ***approval*** of the Central Government is hereby accorded under Section-2 of the Forest (Conservation) Act, 1980 for diversion of **398.0085** ha of forest land in favour of DMG, Rajasthan in Pahadpur Block A & B for mining and generation of employment and earning of revenue for Government in Bharatpur District in the State of Rajasthan, subject to following conditions:

**A: Conditions which need to be complied prior to handing over of forest land to user agency by the State Govt.:**

- i. The State Government shall ensure that a detailed cluster Mining Plan shall be obtained prior to handover of forestland which will incorporate the scope of common green infrastructure for all sub-leases to optimize resources and minimize ecological impact. Necessary details of mining will be obtained, including total mining leases in the cluster, area and location of each mining lease, the strip around the mining leases to be used as safety zone, entry and exit points of mining lease and transportation of mined material, the area meant for stocking of mined material, the areas for dumping

overburden, area left out of mining operations for reasons of slope, soil and water conservation etc. along with appropriate mitigative measures for the conservation of forest area and wild life. A copy of the same may be furnished to this Ministry within one month of receipt.

- ii. The State Government shall ensure that the compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has been completed in accordance with the relevant Rules and Guidelines issued by the MoEF&CC in this regard, before handing over of forest land to the user agency;
- iii. The State Govt. shall ensure that the User Agency will obtain necessary Environmental Clearance, Wildlife Clearance, CRZ Clearance, if required;
- iv. The State Government shall upload the KML files of the diverted area and the sites identified for compensatory afforestation in the E-green Watch portal, before handing over forest land to the user agency.

**B: Conditions which need to be complied after handing over of forest land to the user agency by the State Govt.:**

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. The State Govt. shall ensure that Compensatory Afforestation over the identified area shall be raised within a period of three years with effect from the date of issue of Stage-II approval and maintained for ten years thereafter in accordance with the approved plan by the State Forest Department from the funds provided by the user agency;
- iii. The State Govt. shall ensure that the area allowed to be handed over to Forest Department vide Rajasthan Govt. order P02(17)raj/3/08 dated 08.02.2008 and thereafter notified under the provisions contained in Section 29 of the Rajasthan Forest Act, 1953 which is earmarked Compensatory Afforestation shall not be used for any other purpose.
- iv. The State gov't will keep a proper record of the area being used for Compensatory Afforestation against present proposal and ensure that the said area is not proposed against any other diversion proposal in future;
- v. The State Government shall ensure that the environment and water management measures to be adopted during mining and mine reclamation as per the approved Mining Plan are undertaken in a timely manner, and included in the Annual Compliance Report. The User Agency shall submit the Annual Compliance Report in respect of the stated conditions to the concerned Integrated Regional Office and to this Ministry every year regularly;
- vi. The State Government shall ensure that the plantation in safety zone and at other designated places in around the proposed area may be carried out under the supervision of expert institutions, like AFRI, Jodhpur to ensure successful. The fencing, protection and regeneration of the safety zone area shall be done appropriately as per existing rules thereunder;
- vii. Period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended in 2015 and the Rules framed there-under. However, the status will be reviewed by the FAC after 20 years to consider remaining availability of sandstone in the proposed forest diversion area and further protective/ reclamation measures to be taken;
- viii. The State Govt. shall ensure that the State Forest Department will implement the approved Integrated Wild Life Management Plan for the Sanctuary area in 500m width on the periphery of the Sanctuary towards Blocks A and B, including development of

- the buffer area and establishment of a Wildlife Rescue Centre at a suitable location.
- ix. The State Government shall ensure that small Naalas/anicut in Banshi Pahadpur A and B blocks can be used as garland drains to provide / recharge water into Bandh Baretha Dam. All natural/man-made existing water bodies including village ponds shall be conserved and protected by user agency and no hindrance shall be caused to obstruct flow of water in such water bodies. State Govt. also ensured that the user agency may carry out the soil and moisture conservation activities on the banks to sustain water flow in the streams and the water streams in the diverted forest land shall be protected by the user agency in supervision of State Forest Department;
  - x. The State Government shall ensure that at least 10% of the District Mineral Foundation Trust Fund may be utilized for Tree Plantation on suitable sites, e.g. road side, around water bodies, etc. in the District (first preference in Banshi Pahadpur area) during the lease period under the supervision of State Forest Department for which undertaking has been given;
  - xi. The State Govt. shall ensure that the user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department, and the User Agency will obtain permission for felling of trees as per applicable court orders/Forest Act/Rules/Guidelines;
  - xii. The State Govt. shall ensure that the constituted District Task Force on illegal mining shall meet at least once in three months and review that adequate action has been taken to prevent illegal mining on lands outside the approved mining leases in the Banshi Pahadpur area.
  - xiii. The State Govt. and the user agency shall ensure that the mining may be carried out in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, in the concerned State Government and the concerned Integrated Regional Office (IRO) of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Regional Officer, IRO may direct that the mining activities shall remain suspended till such time, such reclamation activities area satisfactorily executed
  - xiv. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
  - xv. The State Govt. shall ensure that 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;
  - xvi. The State Govt. shall ensure that the boundary of the forest land being diverted shall be demarcated on ground at the project cost, using four feet high RCC pillars, each pillar inscribed with the serial number, DGPS coordinates, forward and backward bearings and distance from adjoining pillars *etc*;
  - xvii. The State Govt. and the user agency shall ensure that no residential or labour colony shall be constructed over forest land;
  - xviii. The State Govt. shall ensure that the forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government and the layout plan of the proposal shall not be changed without the prior approval of the Central Government;
  - xix. The State Govt. shall ensure that no damage to the flora and fauna of the adjoining

area shall be caused;

xx.It may please note that 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;and

xxi.The State Govt. shall ensure that 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.

Yours sincerely,

**Sd/-**

**(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;
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi Delhi for uploading on PARIVESH portal.