

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

Indira Paryavaran Bhawan,
Aliganj, Jor Bag Road,
New Delhi - 110003
Dated: ~~28~~²⁷ April, 2022

To,

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

Sub: Diversion of 656.347 ha(Original proposed 700.347 ha.) of forest land in favour of Executive Engineer, WR Division, Kota for Navnera Barrage across River Kalisindh Near Village Abra, Tehsil Digod, District Kota, Rajasthan (Online Proposal No. FP/RJ/IRRIG/35905/2018) - regarding.

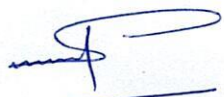
Madam/Sir,

I am directed to refer to the Government of Rajasthan's proposal No. FP/RJ/IRRIG/35905/2018 uploaded on PARIVESH portal for seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980 for which the *In-principle/Stage-I* approval was accorded vide this Ministry's letter of even number dated 26.08.2021 subject to fulfillment of certain conditions. The State Government has now 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 Letters No. P.1 (125) VAN/2020 dated 08.02.2022 and P.1 (125) VAN/2020 dated 01.04.2022, **Final/Stage-II approval** of the Central Government is hereby accorded under Section-2 of the Forest (Conservation) Act, 1980 for diversion of **656.347 ha.** (Original proposed 700.347 ha.) of forest land in favour of Executive Engineer, WR Division, Kota for Navnera Barrage across River Kalisindh Near Village Abra, Tehsil Digod, District Kota, Rajasthan, subject to following conditions:


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

- i. 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;
- ii. The State Govt. shall ensure that the User Agency will obtain necessary Environmental Clearance, Wildlife Clearance, CRZ Clearance, if required; and
- iii. The State Government shall upload the KML files of the sites identified for compensatory afforestation in the E-green Watch portal, before handing over forest land to the user agency.


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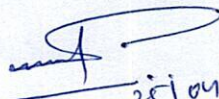
B: Conditions to be complied after handing over of forest land to the user agency by the State Govt.:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. The State Govt. shall ensure that Compensatory Afforestation over the identified 696.477 ha. land which has been notified as Protected Forest vide various notifications dated 02.03.2022 and 27.01.2022, shall be raised within a period of three years from the date of issue of Stage-II approval and maintained for ten years thereafter in accordance with the approved CA scheme. At least 1000 plants per ha. shall be planted on identified land and in case it is not possible to accommodate 1000 plants/ha in the proposed CA land then the remaining plants shall be planted on degraded forest land as per prescriptions of approved working plan with provision for ten years on subsequent maintenance;
- iii. The State Govt. shall ensure that the approved Catchment Area Treatment (CAT) plan is implemented by the State Forest Department;
- iv. Since the reservoir water will primarily be used for drinking water purpose, a study shall be commissioned within three months of handing over of forest land to the user agency, by reputed institutes such as jointly by ICFRE and WII to (a) identify such species to be planted and other requisite measures required to be taken to improve the water quality in the immediate catchment of the proposed reservoir, and (b) making up the lost habitat particularly of scheduled wildlife, especially reptiles, in the remaining forest area. This study and its execution shall be done at the project cost;
- v. It is important to ensure people's participation to protect and regenerate the forests in the watershed of the reservoir so that the reservoir is protected both from siltation from soil erosion and pollutants (e.g. from dung of grazing cattle) in the watershed. Therefore in the interest of both the dam reservoir and forests, the User agency shall commission, within three months of handing over of forest land to the user agency, by a reputed institute like IIFM, Bhopal to explore an institutional mechanism for payment of the main forest ecosystem services (in this case, water) to the villagers in upstream side of Kalisindh river around the reservoir, and the User Agency in consultation with State Forest Department will establish the same in a reasonable time.
- vi. State Govt. and User agency shall ensure water discharge in downstream of the project to maintain minimum 'environmental flow'.
- vii. The State Govt. shall ensure that the CA also includes planting of those species that are integral to the *Zizyphus scrub forest* and a monitoring mechanism in this aspect shall be established by State Forest Department as early as possible not later than one year from handing over forest land, and monitoring report in this regard is submitted to the concern IRO of the Ministry on an annual basis ;
- viii. The State Govt. shall ensure that the user agency shall take up a minimum 3-year scheme for agroforestry and bamboo development in the villages around the reservoir under the supervision of State Forest Department. Funds under the schemes of Ministry of Agriculture & Farmers Welfare (MoAFW), Govt. of India may be utilised for the purpose;
- ix. The State Govt. and the user agency ensure that the felling of trees shall be restricted to FRL - 4 meter only and felling of trees shall be carried out by the State Forest Department. Number of trees to be removed shall be kept at barest minimum during the execution of the project;
- x. The State Govt. shall ensure that User agency shall carry out afforestation along the periphery of the reservoir under the supervision of State Forest Department at the project cost;
- xi. The State Govt. shall ensure that no additional or new path will be constructed inside


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- the forest area for transportation of construction materials for execution of the project work;
- xii. 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;
- xiii. 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;
- xiv. The State Govt. shall ensure that 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. 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;
- xxi. It may be noted 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
- xxii. The State Govt. and 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,


(Suneet Bhardwaj) 28/04/22

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.