

F.No- 8-10/2022-FC.
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi - 110003
Dated 06 May, 2024

To,

The Principal Secretary (Forests),
Government of Rajasthan,
Jaipur.

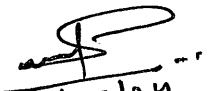
Subject: Proposal for diversion of 100.05 ha of forest land in favour of NPCIL for Mahi Banswara, Rajasthan Atomic Power Project (MBRAPP)-1 to 4 in the State of Rajasthan(Online proposal No. FP/RJ/Others/22621/2016) – regarding.

Madam/Sir,

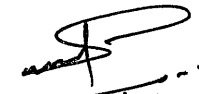
I am directed to refer to the Government of Rajasthan's letter No. FP/RJ/Others/22621/2016 dated 06.06.2022 on the above subject seeking prior approval of the Central Government under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980. After careful consideration of the proposal by the Advisory Committee and with due approval of the Hon'ble Minister, Environment, Forest and Climate Change *Stage-I/In-principle* approval for the above mentioned proposal was granted vide this Ministry's letter of even number dated 12.05.2023 subject to fulfillment of certain conditions prescribed therein.

In this connection, I am directed to say that on the basis of the compliance report furnished by the State Government vide letter No. F.14(98/10)2016/FCA/PCCF/51 dated 08.01.2024, letter No. F.14(98/10)2016/FCA/PCCF dated 26.2.2024 and letter No. प.1 (28) वन/2022 dated 27.03.2024 ' **Stage-II/Final approval** ' of the Central Government is hereby granted under Section-2 of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 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 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.*


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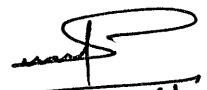
- iv. User Agency will not allow any direct discharge from the project site to the Dam water.
- v. Since the Ghatol DFL site proposed for CA is situated on plateau, which is good grass land having heavy biotic pressure, this area should be properly fenced and plantation should be done after carrying out proper soil-moisture conservation (SMC) works.
- vi. The Compensatory Afforestation over the identified degraded forest land of 304 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.
- vii. The State Government has realized the NPV of the forest area diverted under this proposal from the User Agency, as per the orders dated 28.03.2008, 24.04.2008 and 09.05.2008 passed by the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 202/1995 and the guidelines given under para 3 of the Chapter -3 of the Consolidate Guidelines and Clarifications issued under the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 published by the Ministry on 29.12.2023, 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.
- 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. The State Government shall ensure that process for settlement of rights, in term of the Scheduled Tribes and Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, has been completed in accordance with the relevant guidelines prescribed by this Ministry's letter No. 11-9/1998-FC (Pt.) dated 03.08.2009 read with 05.07.2013.
- x. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
- xi. 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.
- xii. Adequate greenery by planting trees will be maintained around the project area in view of the safety measures for running the Atomic Power Project .
- xiii. 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.
- xiv. The forest land shall not be used for any purpose other than that specified in the project proposal.
- xv. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval


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of the Central Government.

- xvi. No damage to the flora and fauna of the adjoining area shall be caused.
- xvii. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS coordinates.
- xviii. 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.
- xix. 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.
- xx. 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.
- xxi. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Consolidated Guidelines and Clarifications on Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 as issued by this Ministry's letter dated 29.12.2023.
- xxii. The State Government and user agency shall ensure compliance to all conditions stipulated in the 'Stage-I/In-principle' approval letter dated 12.05.2023 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines relevant Hon'ble Court Order (S) and NGT Order (S), if any, or the time being in force, including compliance of the Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006, before handing over the forest land to the user agency.

Yours sincerely,


(Suneet Bhardwal) 06/05/24

Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Rajasthan, Jaipur;
2. The DIGF (Central), Sub-Office, MoEF&CC, Jaipur;
3. The DIGF (Central), Regional Office, MoEF&CC, Gandhinagar;
4. The Nodal Officer (FCA), Department of Forest, Government of Rajasthan, Jaipur;
5. User Agency;
6. Monitoring Cell, FC Division, MoEF & CC, New Delhi for uploading on PARIVESH portal.

