भारत सरकार  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
केंद्रीय कार्यालय (मध्य)  
Ministry of Environment, Forest and Climate Change  
Regional Office (Central Region)  
केंद्रीय ब्हावना, पंचशे, सेक्टर-एच, अलगांज, लखनऊ-226024  
Kendriya Bhawan, 5th Floor, Sector-H, Aliganj, Lucknow-226024, Telefax: 2232696, 2234340, 2234047, 2234625  
Email: (Env.) m_env@rediffmail.com, (Forest) goimoetrolko@gmail.com  
पत्र सं 886/रजा/09/03/2019/डफ.सी./1538  
दिनांक: 03.12.2019  
सेवा में,  
शासन सचिव[वन],  
राजस्थान सरकार,  
जयपुर, राजस्थान।  

Online Proposal No. FP/RAJ/Others/34660/2018  

विषय: Diversion of 4.91 ha. of forest of Executive Engineer, Rajasthan Rajya, Viduat Utapanand Nigam Limited Chabra, Baran for construction of Raw water pipeline from Parwan Dam to CSCTPP Motipura Super Critical Thermal Power Plant in district-Baran.  

सन्तुष्टि: शासन सचिव का पत्रांक ग.1(66)वन/2018 जयपुर, दिनांक—29.11.2019.  

महोदय,  

उपरोक्त विषय पर शासन सचिव, राजस्थान शासन, जयपुर का पत्रांक—ग.1(66)2018/जयपुर, दिनांक—23.01.2019 का आवश्यक सभी कर्मचारियों को करें अस्वीकार, जिसमें द्वारा विशेषतः प्रस्ताव पर वन (संरक्षण) अधिनियम, 1980 की धारा (2) के अनुसार भारत सरकार की त्रिकोणीय मांग की।  

प्रस्ताव अनुपलन पर विवेकपूर्वक मुख्य आयुक्त यह सूचित करना का निर्देश हुआ है कि केंद्र सरकार उपरोक्त विशेषता परियोजना हेतु मुल्य 4.91 हैं संरक्षित वन्यजीव के प्रत्येक वर्ष 531 तौर पर पालन की संरक्षणित गति में निर्धारित है—  

1-Compensatory afforestation shall be taken up by the Forest Department over 4.91 ha. Non forest land (Compartment no. 14 & 788/22/ Khasra No. Nil, Village-Rain, Tehsil-Chhipabard, District-Baran) at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided.  

2. 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.  

3. The State Government shall charge the Net Present Value(NPV) for the 4.91 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.  

4. 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.  

5. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.  

6. There is violation involving 1.0365 ha. of forest land as per Site inspection report of CCF Kota. Thus,  
a. Penalty for violation should be imposed as per MoEF&CC guidelines dated 29-01-2018.  
b. State Government to initiate disciplinary action against the officials concerned for not being able to prevent use of forest land for non-forestry purpose without prior approval of Government of India.  
c. State Government to initiate action for prosecution under the local Act of the State for unauthorized use of forest land.
6. As per the revised Part II and DSS analysis, the area proposed for diversion is not part of any PA, however, it is part of ESZ and falls within 1 km of the boundary of PA. Thus, comments of CWLW of the State should be sought and recommendation should be followed.
7. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
8. 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.
9. The pipeline shall be laid down 1.5 meter below the ground and after lying down of pipe line the ground will be leveled.
10. The layout plan of the proposal shall not be changed without prior approval of Central Government.
11. No labour camp shall be established on the forest land.
12. 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.
13. 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.
14. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
15. 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.
16. The forest land shall not be used for any purpose other than that specified in the project proposal.
17. 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.
18. 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.
19. 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.
20. Muck disposal scheme sanctioned by DFO should be submitted.
21. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (https://parivesh.nic.in/).
22. The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/).

Not to be published

प्रतिलिपि सूचनाधर्म एवं आवश्यक कार्यवाही हेतु प्रेषितः
1. अपर नामशीर्षक एक.सी., पर्यवेक्षण, तन एवं जलवायु परिवर्तन मंत्रालय, इंडिया परिवर्तन भवन, चौराहा रोड, नन्दी दिल्ली-110003.
2. निदेशक (शास्त्रविद्या प्रयोग) पर्यवेक्षण, तन एवं जलवायु परिवर्तन मंत्रालय, इंडिया परिवर्तन भवन, चौराहा रोड, नन्दी दिल्ली-110003.
3. मुख्य विद्यालय (तन संस्थान) एवं नोटियल अधिवार, तन शिक्षा, अर्थशास्त्र भवन, शालाना इंस्टीट्यूट ऑफ एरिजोलॉजी, जयपुर, राजस्थानः।
4. तन-भवन संस्थान, बाराक, राजस्थानः (भूमित) नं. 5018, नं. 5019, दुरुपालन.
5. शिक्षार्थी शिक्षा, अंतर्गत शाश्वत अध्ययन अभियान, पर्यावरण, बिजली पाइप, राजस्थानः।
6. पर्यावरण, तन एवं जलवायु परिवर्तन मंत्रालय, केंद्रीय कार्यालय, लखनऊ की वेबसाइट पर अपलोड किया हेतु/आवेश पत्रावलीः।

(सांस्कृतिक एवं प्रवृत्ति)

उप वन महानिदेशक भारतीय वन एवं महानिदेशक भारतीय वन

(पश्चिमी गंगावार)

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