कार्यालय प्रधान मुख्य वन संस्थान राजस्थान, जयपुर

दिनांक: 14(प्राप्ति) 2011/एक्सीए/प्रमुखसं/33832-40 कर्मकार: एक्सीए/प्रमुखसं/33832-40

मुख्य वन राजस्थान, अजमेर/उदयपुर।

विषय:- श्री महाराज आफ्रा 78.0131 हैं फोरेस्ट भौगोलिक औफिस उदयपुर अहमदाबाद सेवक ट्रू 79 प्र. एनएच 79. प्राप्ति 76 एनएच 8 फोरेस्ट एनएच 4 लेन दु 6 लेन इन दा स्टेट आफ्रा राजस्थान एफ गुजरात इन फोरेस्ट आफ्रा एनएचएसए।

यहाँदेखा,

उपरोक्त विषयावली संबंधित महानिदेशक (वन). परिधानवर, वन एवं जलवायु परिवर्तन मंडल, नई-दिल्ली ने अपने प्रस्ताव 8—88/2012/एक्सीए वि. 5.5.15 एवं राजस्थान राज्यवर, देश एवं राजस्थान जयपुर ने अपने प्रस्ताव एफ (65) वन/2012 दिनांक 9.6.15 से वन (संसार) अभियान, 1980 के अंतर्गत 78.0131 हैंकटर वन भूमि के प्रत्यावर्तन एवं शृंखला के पालन हेतु कुल श्रीरंगनाथ विभिन्न स्थानों में प्रारम्भ की है। अतः उपरोक्त विषयावली संबंधित विभाग/संस्था को वन भूमि के प्रारम्भ की अनुमति दे हो जाये। साथ ही पालना प्रतिवेदन एवं सोनेटेरिङ विभाग/संस्था को भविष्य के इलाज की एक रजिस्टर संरक्षित किया जाये।

वधादिष्ठ.

संलग्न—उक्तपुस्तक।

अतिरिक्त प्राधान मुख्य वन राजस्थान, प्रतिवेदन एवं नोटिस अधिकारी एक्सीए, राजस्थान, जयपुर।

गवर्मेंट ऑफ राजस्थान प्रतिवेदन औफिस, राजस्थान, जयपुर।

कर्मकार: एक्सीए/प्राप्ति 2011/एक्सीए/प्रमुखसं/33832-40 दिनांक: 26.6.15

प्रतिलिपि निम्न को भारत सरकार/राजस्थान सरकार के उपर तत्कालीन विभाग/संस्थाएँ एवं आव्यूह वाहिका हेतु प्रकट है—

1. श्रीमती, वन विभाग राजस्थान, जयपुर को अपने प्रस्ताव एफ (65) वन/2012 दिनांक 9.6.15 के काम में।

2. अलेक्स प्राधान मुख्य वन राजस्थान, सुधारणा प्रायोगिकी, अरावली भवन, जयपुर को प्रकरण में बहार राजस्थान द्वारा जारी संदेशक एवं विभिन्न स्थानों के प्रारम्भ के प्रारम्भ दिन 9.6.15 की प्रति प्रेषित कर लें हैं कि राजस्थान सरकार ही अविच्छेदित पर्यंत संसार की पालन अपने स्तर में करने का कार्य करूँ।

3. उप वन संस्था, उदयपुर/उदयपुर (उत्तर)/श्रीमतोक/श्रीमतोक/अलेक्स को प्रेरित कर लें कि उपरोक्त के साथ-साथ स्थानीय संस्थान में निम्न विभागों की पालन भी सुनिश्चित करें—

(i)संसार से संबंधित समस्त प्रावधान स्थानीय संस्थान में पृथक से एक रजिस्टर में सूचना संगठित की जाये।

4. परियोजना निधिवेशन, भारतीय राज्यवर राजनीति आदेशक, परियोजना क्रियान्वयन हिस्ट्री, 10 पंडटी, उदयपुर-313001

संलग्न—उक्तपुस्तक।

अतिरिक्त प्राधान मुख्य वन राजस्थान, प्रतिवेदन एवं नोटिस अधिकारी एक्सीए, राजस्थान, जयपुर।

E:/ Office documents/ final project
File No. 8-88/2012-FC(I)
Government of India
Ministry of Environment & Forests
(Forest Conservation Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110510.
Dated : 26th February 2013.

To

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

Sub: Diversion of 78.0131 ha forest land for widening of Kishangarh-Udaipur-Ahmedabad Section of NH 79A, NH 79, NH 76 and NH 8 from existing 4 lane to 6 lane in the States of Rajasthan and Gujarat in favour of NHAI.

Sir,

I am directed to refer to the State Government of Rajasthan letter No. P 1(65) VAN/2012 dated 11th October 2012 where-under a proposal seeking prior approval of the Central Government, in accordance with Section-2 of the Forest (Conservation) Act, 1980, for diversion of 78.0131 ha forest land for widening of Kishangarh-Udaipur-Ahmedabad Section of NH 79A, NH 79, NH 76 and NH 8 from existing 4 lane to 6 lane in the States of Rajasthan in favour of NHAI was submitted to this Ministry, and to say that the said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

2. After careful consideration of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, the Central Government hereby accords Stage-I approval of the Central Government under the Forest (Conservation) Act, 1980 for diversion of 78.0131 ha forest land for widening of Kishangarh-Udaipur-Ahmedabad Section of NH 79A, NH 79, NH 76 and NH 8 from existing 4 lane to 6 lane in the States of Rajasthan in favour of NHAI, subject to the fulfillment of the following conditions:

(i) Legal status of the diverted forest land shall remain unchanged;

(ii) Compensatory afforestation over the degraded forest land double in extent to the forest land being diverted shall be raised and maintained by the State Forest Department at the cost of the User Agency;

(iii) The land identified for the purpose of CA shall be clearly depicted on a Survey of India toposheet of 1:50,000 scale.

(iv) The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation, at the current wage rate, to the State Forest Department. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;

(v) The State Government shall charge the Net Present Value (NPV) of the forest land being diverted under this proposal from the User Agency as per the orders
of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No. 202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02.2009 in this regard;

(vi) At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;

(vii) All the funds received from the user agency under the project, except the funds realized for regeneration/demarcation of safety zone, shall be transferred to Ad-hoc CAMPA in the Saving Bank Account pertaining to the State concerned;

(viii) The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;

(ix) No labour camp shall be established on the forest land;

(x) 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;

(xi) The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;

(xii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.

(xiii) The forest land shall not be used for any purpose other than that specified in the proposal;

(xiv) 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;

(xv) No damage to the flora and fauna of the adjoining area shall be caused;

(xvi) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.

(xvii) The State Government shall complete settlement of rights, in terms of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC (pt.) dated 03.08.2009, in support thereof;

(xviii) Felling of trees on the forest land being diverted shall be reduced to the bare minimum and the trees should be felled under strict supervision of the State Forest Department;

(xix) The user agency shall arrange to raise strip plantation on either side of the road and central verge at project cost, as per IRC specification, with maintenance of
7-10 years. The user agency shall also submit design of providing at least 2-3 rows of long rotation indigenous trees, as per provision of IRC-SP-21-2009 (Guidelines on landscaping & tree plantation), on either side of the road before final clearance.

(xx) Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost.

(xxi) The reclamation of quarry should be done under the supervision of the State Forest Department. The quarry shall be reclaimed and afforested completely before the project is closed.

(xxii) Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed off at the designate dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.

(xxiii) The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.

(xxiv) The User agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.

(xxv) The user agency shall not collect any toll from the vehicles carrying forest officers on duty.

(xxvi) The designing of culverts/bridges, if any, over the natural streams/ rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.

(xxvii) The State Government shall submit a complete and detailed scheme for compensatory afforestation alongwith the map of the area on Survey of India toposheet.

(xxviii) The user agency shall construct wall on the sides of the road as suggested by the DCF and in consultation with him. Openings may be provided, if and as approved by the DCF.

(xxix) The user agency shall provide an amount for rehabilitation of Bichchhivara Nursery which is getting affected by the proposed widening and for construction of range office in accordance with an estimate to be prepared by the DCF, Dungarpur.

(*** The user agency shall provide 2 under passes at chainage 9.2 and 9.6 and chainlink fencing on both sides between the above two chainages in consultation with the DCF Udaipur South.
(xxx) The user agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly.

(xxxii) Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and

(xxxiii) The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

3. After receipt of a report on compliance to the conditions stipulated in Paragraph -2 above, from the State Government, final/stage-II approval of the Central Government, in accordance with section 2 of the Forest (Conservation) Act, 1980, will be considered by this Ministry. Till receipt of the said final/ stage-II approval of the Central Government from this Ministry, transfer of the said forest land to the user agency shall not be affected by the State Government.

Yours faithfully,

(Siv Pal Singh)
Sr. Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, Government of Rajasthan, Jaipur.
2. The Nodal Officer (FCA), O/o the PCCF, Government of Rajasthan, Jaipur.
3. The Chief Conservator of Forests (Central), Regional Office, Lucknow.
5. Monitoring cell.
6. Guard File

(Siv Pal Singh)
Sr. Assistant Inspector General of Forests
File No. 8-88/2012-FC  
Government of India  
Ministry of Environment, Forests and Climate Change  
(Forest Conservation Division)

Indira Paryavaran Bhawan,  
Aliganj, Jorbagh Road  
New Delhi - 110003  
Date: 05th May, 2015

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

Sub: Diversion of 78.0131 ha forest land for widening of Kishangarh-Udaipur-Ahmedabad Section of NH 79A, NH 79, NH 76 and NH 8 from existing 4 lane to 6 lane in the States of Rajasthan and Gujarat in favour of NHAI.

Sir,

I am directed to refer to the Government of Rajasthan letter No. P 1(65) VAM/2012 dated 11.10.2012 on above mentioned subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980. After careful examination of the proposal by the Forest Advisory Committee constituted under Section-3 of the said Act, ‘in-principle’ approval was granted vide this Ministry’s letter of even number dated 26.02.2013 subject to fulfillment of certain conditions prescribed therein. The State Government has furnished compliance report in respect of the conditions stipulated in the ‘in-principle’ approval and has requested the Central Government to grant final approval.

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(NH)/2011/FCA/Pramavans/10188 dated 6.12.2013 and F.14(NH)/2011/FCA/ Pramavans/7772 dated 30.09.2014, ‘final’ approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 78.0131 ha forest land for widening of Kishangarh-Udaipur-Ahmedabad Section of NH 79A, NH 79, NH 76 and NH 8 from existing 4 lane to 6 lane in the States of Rajasthan and Gujarat in favour of NHAI subject to fulfillment of the following conditions:

i. Legal status of the diverted forest land shall remain unchanged;

ii. Compensatory afforestation over the non-forest land, equal in extent to the forest land being diverted, shall be raised and maintained by the State Forest Department from the funds already provided by the user agency;

iii. The non-forest land transferred and mutated in favour of the State Forest Department shall be notified by the State Government as RF under Section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, 1927 latest within a period of six months from the date of issue of Stage--II approval. The Nodal Officer shall report compliance in this regard along with a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, as the case may be, within the stipulated period to the Central Government for information and record;

iv. 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;
v. 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, forward and back bearing and distance from pillar to pillar;

vi. The user agency shall take up strip plantation as per provision of IRC-SP-21-2009 and as per Guidelines on landscaping & tree plantation submitted by them on either side of the road.

vii. Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost.

viii. The reclamation of quarry should be done under the supervision of the State Forest Department. The quarry shall be reclaimed and afforested completely before the project is closed.

ix. Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed off at the designate dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.

x. The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.

xi. The User agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.

xii. The user agency shall not collect any toll from the vehicles carrying forest officers on duty.

xiii. The designing of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals.

xiv. No labour camp shall be established on the forest land;

xv. 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 forest land shall not be used for any purpose other than that specified in the proposal;

xvii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.

xviii. 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;

xix. No damage to the flora and fauna of the adjoining area shall be caused;

xx. Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;

xxi. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird’s nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
xxii. The user agency shall make provision for construction of underpasses for the safe passage of wild animals underneath the road in the forest area in consultation with CWLW of the state.

xxiii. All other conditions stipulated in the Stage-I approval for which the user agency has submitted undertakings shall be complied with;

xxiv. The user agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly.

xxv. Any other condition that the concerned Regional Office of this Ministry may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and

xxvi. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

Yours faithfully,

(T. C. Nautiyal)
Assistant Inspector General of Forests

Copy to:-
1. The Principal Chief Conservator of Forests, Government of Rajasthan, Jaipur.
2. The Addl. Principal Chief Conservator of Forests (Central), Regional Office, Lucknow.
3. The Nodal Officer (FCA), O/o the PCCF, Government of Rajasthan, Jaipur.
4. User Agency (Project Director, PIU, 10-A Panchvati, Udaipur- 313 001 Rajasthan.
5. Monitoring cell, FC Division, MoEF, New Delhi.

(T. C. Nautiyal)
Assistant Inspector General of Forests
ORDER

In reference to the clearance issued by MoEF&CC, GOI vide letter No. F.No.8-88/2012-FC dated 05.05.2015 for the project proponent Project Director, NHAI, PIU, 10-A Panchvati, Udaipur for diversion of 78.0131 ha. of Forest area for Widening of Kishangarh- Udaipur- Ahmedabad Section of NH 79A, NH 79, NH 76, NH 8 from existing 4 lane to 6 lane in the State of Rajasthan and Gujarat. As Project Proponent has complied with all the 26 stipulated conditions, final approval dated 05.05.2015 has now been issued by GOI. In pursuance of the above clearance by Govt. of India, State Government hereby accord approval under Section 2 of the Forest Conservation) Act 1980 with the following conditions:-

1. The conditions imposed by MoEF&CC, GoI in their forest clearance date 05.05.2015 will be complied with by all concerned.
   This order along with conditions imposed by the Central Government according to stage I and stage II clearance are mandatorily required to be displayed on the website by State Forest Department as well as by MoEF&CC, GoI.

3. The project proponent should publish the entire forest clearances granted in verbatim along with the conditions and safeguards imposed by the Central Government in Forest Clearance in two widely circulated daily newspapers one in vernacular language and the other in English language so as to make people aware of the permission granted to the project proponent for use of forest land for non-forestry purposes.

4. The copies of the Forest clearance should also be submitted by the project proponents to the Heads of local bodies, Panchayats and Municipal Bodies in addition to the relevant offices of the Government who in turn has to display the same for 30 days from the date of receipt.

Any other condition as and when imposed by the State Government.

Principal Chief Conservator of Forests (HoFF), Rajasthan, Jaipur.
Regional Office, Ministry of Environment & Forests, Govt. of India, Kendriya Bhawan, Lucknow.
Sr. Assistant Inspector General of Forests, In-charge, Monitoring Cell, Forest Conservation Division, Ministry of Environment, Forests & Climate Changes, Govt. of India, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi – 110 003 – with a request to ensure uploading of the order passed by the State Government on the MoEF&CC website.
Director, Regional Office (Headquarters), Ministry of Environment, Forests & Climate Changes, Govt.of India, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi – 110 003
Addl. Principal Chief Conservator of Forests & Nodal Officer (FCA), Rajasthan, Jaipur – with a request to get the order and clearances uploaded on the State Forest Department website.
Chief Conservator of Forests, IT, Aravali Bhawan, JLN Marg, Jaipur – to ensure the uploading of the order and clearances on the State Forest Department website.
Concerned Regional Chief Conservator of Forests, Udaipur and Ajmer.
Deputy Conservator of Forest, Ajmer, Bhilwara, Chittorgarh, Udair (North) and Udaipur (South).
Project Director, NHAI, PIU, 10-A Panchvati, Udaipur 313001
Guard File.