

**GOVERNMENT OF RAJASTHAN
DEPARTMENT OF FORESTS**

No.F.1(25) Forest/2013

Jaipur, dated: **9 JUN 2014**

ORDER

In reference to the clearance issued by MoEF, GoI vide letter No. 8 -38/2013-FC dated 02.05.2014 for the project proponent Beawar-Baghana Section of NH-8 from 2 lane to 4 lane (from Km 58.245 to km, 147.000) in Rajasmand and Ajmer Forest Divisions of Rajasmand and Ajmer Districts for diversion of 61.093 ha. forest area for Upgradation and widening of Beawar-Baghana Section of NH-8 . The State Government hereby accords Approval of Final stage clearance under Section 2 of the Forest (Conservation) Act with the following conditions:-

- 1 The conditions imposed by MoEF, GoI in their clearance dated 02.05.2014 will be complied by all concerned.
- 2 This order along with conditions imposed by the Central Government according to stage I and stage II clearance are mandatorily required to be displayed in the website by State Forest Department as well as by MoEF, 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-forest 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.
- 5 Any other condition as and when imposed by the State Government.

(C.S. Ratnasamy)
Secretary, Forest

Copy to the following for necessary compliance:-

1. Principal Chief Conservator of Forests (HoFF), Rajasthan, Jaipur.
2. Regional Office, Ministry of Environment & Forests, Govt. of India, Kendriya Bhavan, Lucknow.
3. Sr. Assistant Inspector General of Forests, In-charge, Monitoring Cell, Forest Conservation Division, MoEF, Govt. of India, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi - 110 510 - with a request to ensure uploading of the order passed by the State Government on the MoEF website.
4. Director, Regional Office (Headquarters), Ministry of Environment & Forests, New Delhi.
5. 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.
6. 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.
7. Concerned Regional Chief Conservator of Forests, Udaipur/Ajmer.
8. Divisional Forest Officer, Rajsamand/Ajmer.
9. Regional officer cum Project Director, Ministry of Road Transport & Highways, Near DCM Ajmer Road, Jaipur, Rajasthan.

Secretary, Forests

243

F. No. 8-38/2013-FC
Government of India
Ministry of Environment & Forests
(FC Division)

ParyavaranBhawan,
C.G.O Complex, Lodhi Road,
New Delhi - 110510.
Dated: 2nd May 2014

To

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

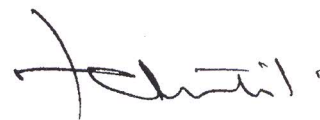
Sub: Diversion of 61.093 ha of forest land in favour of National Highway Authority of India for upgradation and widening of Beawar-Baghana Section of NH-8 from 2 lane to 4 lane (from Km 58.245 to km 147.000) in Rajasmand and Ajmer Forest Divisions of Rajasmand and Ajmer Districts, respectively in the State of Rajasthan.

Sir,

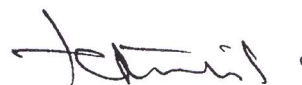
I am directed to refer to the Govt. of Rajasthan letter no. F 14/2012/FCA/Pramuvans/7849 dated 26.08.2013 on the above subject seeking prior approval of the Central Government under Section - 2 of the Forest (Conservation) Act, 1980. After careful examination of the proposal by the Forest Advisory Committee constituted under Section-3 of the said Act, 'in-principle' approval was granted vide this Ministry's letter of even number dated 27.12.2013 subject to fulfilment 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)/2012/FCA/Pramuvans/2138 dated 12.03.2014, final approval of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980 for diversion of 61.093 ha of forest land in favour of National Highway Authority of India for upgradation and widening of Beawar-Baghana Section of NH-8 from 2 lane to 4 lane (from Km 58.245 to km 147.000) in Rajasmand and Ajmer Forest Divisions of Rajasmand and Ajmer Districts, respectively in the State of Rajasthan subject to fulfilment of the following conditions:

- (i) Legal status of the diverted forest land shall remain unchanged;
- (ii) Compensatory afforestation over the degraded forest land, twice 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 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;
- (iv) 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;
- (v) 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.

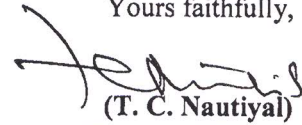


- (vi) Wherever possible and technically feasible, the User Agency shall undertake afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost.
- (vii) The reclamation of quarry should be done under the supervision of the State Forest Department. The quarry shall be reclaimed and afforested completely before the project is closed.
- (viii) 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.
- (ix) The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.
- (x) The User agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.
- (xi) The user agency shall not collect any toll from the vehicles carrying forest officers on duty.
- (xii) 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.
- (xiii) No labour camp shall be established on the forest land;
- (xiv) 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;
- (xv) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xvi) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xvii) 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;
- (xviii) No damage to the flora and fauna of the adjoining area shall be caused;
- (xix) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- (xx) 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;
- (xxi) 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.
- (xxii) 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.
- (xxiii) All other conditions of the Stage-I approval for which the user agency has submitted undertakings shall be strictly complied with;



- 245
- (xxiv) 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
- (xxv) 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,

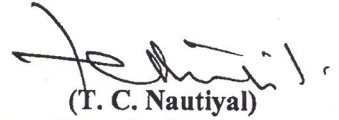


(T. C. Nautiyal)

Sr. Assistant Inspector General of Forests

Copy to:-

1. The PCCF, Government of Rajasthan, Jaipur.
2. The Addl. PCCF (Central), Regional Office, Lucknow.
3. The Nodal Officer (FCA), O/o the PCCF, Government of Rajasthan, Jaipur.
4. User Agency (Regional officer cum Project Director, Ministry of Road Transport & Highways, Near DCM Ajmer Road Jaipur Rajasthan).
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.



(T. C. Nautiyal)

Sr. Assistant Inspector General of Forests

170 Sp. Copy

F. No. 8-38/2013-FC
Government of India
Ministry of Environment & Forests
(FC Division)

ParyavaranBhawan,
C.G.O Complex, Lodhi Road,
New Delhi - 110510.
Dated: 27 December, 2013.

To

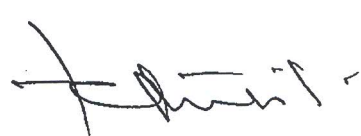
The Principal Secretary (Forests),
Government of Rajasthan,
Jaipur.

Sub: Diversion of 61.093 ha of forest land in favour of National Highway Authority of India for upgradation and widening of Beawar-Baghana Section of NH-8 from 2 lane to 4 lane (from Km 58.245 to km 147.000) in Rajasmand and Ajmer Forest Divisions of Rajasmand and Ajmer Districts, respectively in the State of Rajasthan.

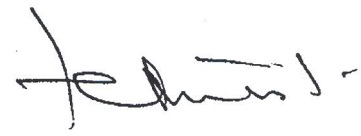
Sir,

I am directed to refer to the Govt. of Rajasthan letter no. F 14/2012/FCA/Pramuvans/7849 dated 26.08.2013 on the above subject seeking prior approval of the Central Government under Section - 2 of the Forest (Conservation) Act, 1980 and to say that the proposal was examined by the Forest Advisory Committee (FAC) constituted under Section - 3 of the said Act.

After careful examination of the proposal of the State Government and on the basis of the recommendation of the Forest Advisory Committee, the Central Government hereby conveys the 'in-principle' approval for diversion of 61.093 ha of forest land in favour of National Highway Authority of India for upgradation and widening of Beawar-Baghana Section of NH-8 from 2 lane to 4 lane (from Km 58.245 to km 147.000) in Rajasmand and Ajmer Forest Divisions of Rajasmand and Ajmer Districts, respectively in the State of Rajasthan subject to fulfilment of the following conditions:

- SK
2/1/14
- (i) Legal status of the diverted forest land shall remain unchanged;
 - (ii) Compensatory afforestation over the degraded forest land, twice 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) 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;
- (x) 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.
- (xi) 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.
- (xii) 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.
- (xiii) 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.
- (xiv) The user agency will provide retaining walls, breast walls and drainage as per requirement to make the slope stable.
- (xv) The User agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department.
- (xvi) The user agency shall not collect any toll from the vehicles carrying forest officers on duty.
- (xvii) 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.
- (xviii) No labour camp shall be established on the forest land;
- (xix) 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;
- (xx) The forest land shall not be used for any purpose other than that specified in the proposal;
- (xxi) The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
- (xxii) 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;
- (xxiii) No damage to the flora and fauna of the adjoining area shall be caused;
- (xxiv) Any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;



172

- (xxv) 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;
- (xxvi) 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.
- (xxvii) All conditions imposed by the Standing Committee of the National Board for Wildlife will be complied with by the user agency.
- (xxviii) 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;
- (xxix) 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.
- (xxx) 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
- (xxxi) 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.

After receipt of the compliance report on the fulfilment of the above mentioned conditions from the State Government, formal approval will be considered in this regard under Section-2 of the Forest (Conservation) Act, 1980. The transfer of forest land to the User Agency shall not be affected by the State Government till formal order approving the diversion of forest land is issued by the Central Government.

Yours faithfully,

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

Copy to:-

1. The PCCF, Government of Rajasthan, Jaipur.
2. The Addl. PCCF (Central), Regional Office, Lucknow.
3. The Nodal Officer (FCA), O/o the PCCF, Government of Rajasthan, Jaipur.
4. User Agency (Regional officer cum Project Director, Ministry of Road Transport & Highways, Near DCM Ajmer Road Jaipur Rajasthan).
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.

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