

Government of Delhi
Environment & Forest Department

Online Proposal No:
FP/DL/WATER/422058/2023

Date : 04/03/2023



To,

The Executive Engineer (Project) W-III Delhi Jal Board
Room No. 403, Varunalaya Ph-I, Karol Bagh, New Delhi-110005 (email:
eeprw3@yahoo.com)

Subject: Proposal for Diversion of 0.9627 ha forest land for Boring and installation of 150 nos tubewells at Nilothi and Najafgarh area etc for augmentation of water supply in NCT of Delhi under West Forest Division by Delhi Jal Board-reg.

Proposal No: FP/DL/Water/422058/2023

Madam/Sir,

I am directed to refer to the online proposal no. FP/DL/WATER/422058/2023 on the above-mentioned subject seeking prior approval of the Government of Delhi under section 2 of the Forest (Conservation) Act, 1980.

After careful consideration of the proposal, I am directed to convey that the "In-Principle" approval of the Government of NCT of Delhi under section-2 of the Forest (Conservation) Act, 1980, as per "General Approval of MoEF&CC vide 4.3(d) of the handbook of guidelines under FCA, 1980", is granted for diversion of 0.9627 ha forest land for Boring and installation of 90 nos tubewells along with connecting supply pipelines at Nilothi and Najafgarh area etc for augmentation of water supply in NCT of Delhi under West Forest Division by Delhi Jal Board subject to the fulfillment of the following conditions:

1. General Conditions

S.No.	Details of condition
1	Legal status of the diverted forest land shall remain unchanged.
2	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.
3	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.

S.No.	Details of condition
4	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.
5	All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal.
6	The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
7	No labour camp shall be established on the forest land.
8	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.
9	The boundary of the diverted forest land shall be demarcated on ground at the project cost as per the directions of the concerned Dy. Conservator of Forests.
10	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
11	The forest land shall not be used for any purpose other than that specified in the proposal.
12	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.
13	No damage to the flora and fauna of the adjoining area shall be caused.
14	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.
15	The User Agency shall submit six monthly self-compliance reports as on 1st January and 1st July of every year to this office as well as to the Nodal Officer of the State.
16	The State Government shall monitor compliance of conditions of Forest Clearance and shall submit in this regard yearly report as on 31st December of every year.
17	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.
18	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.

2. Standard Conditions

3. Specific Conditions

S.No.	Details of condition
1	Compensatory afforestation of 963 saplings shall be taken up by the Forest Department over 0.9627 ha degraded forest land in Khasra No. 630/1 (partially) in Ghittorni village at the cost of the user agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may 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 fence 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 CA scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

S.No.	Details of condition
3	The User Agency shall provide the exact geo-coordinates of the area over which the project is being executed.
4	As per the proposal, a maximum of 7 trees may be felled for execution of the project at the cost of the User Agency and under strict directions & supervision of the concerned Dy. Conservator of Forests.
5	All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through e-portal.
6	The pipeline shall be laid down 1.5 meter below the ground and after laying down of pipe line the ground will be leveled under strict supervision of the concerned Dy. Conservator of Forests.
7	The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Dy. Conservator of Forests.
8	The period of diversion under this approval shall be 10 years.
9	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.
10	Any other condition that the Ministry of Environment, Forests & Climate Change/ Department of Forests & Wildlife, Govt. of NCT of Delhi may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
11	The working permission may be granted by the concerned Dy. Conservator of Forests/ Competent Authority as per para 11.2 of the guidelines under Forest (Conservation) Act, 1980.
12	The compliance report shall be uploaded by the User Agency on e-portal (https://parivesh.nic.in/).

After receipt of the compliance report on the fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under section 2 of the Forest (Conservation) Act, 1980. Transfer of forest land shall not be affected till final approval is granted by the Government of NCT of Delhi in this regard.

**Yours faithfully,
T.C. Nautiyal
State Secretary**