



**RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LIMITED**  
Regd Office Vidyut Bhawan, Jyoti Nagar, Jaipur 302 005  
Phone : 91 141 2740239 fax : 91-141 2740754 e mail ppnrvpnl@sanchamel.in refervpnl@sanchamel.in  
(Legal Affairs Department)

No. RVPN/ALA/F. 1 (133)/D. 375 Jaipur, dated 22/7/10

**ORDER**

**Sub:** Application is to be filed by RVPNL before the National Board of Wildlife, New Delhi for rectification/review of order dated 17.1.2009 (taken in 15th Meeting of National Board of Wild Life) as per the decision of Hon'ble Supreme Court of India for modifying the condition from 5% of the total project cost to 5% of the estimated cost of the project falling within the sanctuary area.

The Assistant Engineer-VI (C&M, TCC-VII), RVPN, Chittorgarh is hereby appointed as Officer in charge in the above case to act, sign and verify all the pleadings connected with the matter on behalf of RVPNL.

The Chief Engineer (T&C), RVPNL, Jaipur will co-ordinate the matters with the Advocate.

BY ORDER,

*Sd/-*  
ASSISTANT SECRETARY (LAW)

Copy to the following for information and necessary action :-

1. The Chief Engineer (T&C), RVPNL, Jaipur.
2. The Superintending Engineer (TCC VII), RVPNL, Udaipur.
3. The Executive Engineer (PTCC), RVPNL, Jaipur.
4. The Executive Engineer-I (C&M TCC-VII), RVPNL, Udaipur.
- 5. The Assistant Engineer-VI (C&M-TCC-VII), RVPN, Chittorgarh. He is requested to do the needful in consultation with Shri Jag Mohan Saxena, Advocate, who is engaged for filing the application before National Board of Wildlife, New Delhi on the fee of Rs. 15,000/- (fifteen thousand) per visit for preparing application, affidavit, counter affidavit, written notes etc. including conveyance facility by the Nigam.
6. Shri Jag Mohan Saxena, Advocate, 157, Heera Nagar, DCM Godown, Ajmer Road, Jaipur (Ph. 2350748, 9414046386).
7. Computer Cell, RVPN, Jaipur.

*22/07/10*  
ASSISTANT SECRETARY (LAW)

**OFFICE OF THE ASSISTANT ENGINEER –VI (C&M, TCC-VII)  
RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LIMITED,  
CHITTOORGARH**

NO. RVPN/AEN-VI/(C&M, TCC-VII)/CHR/ F. (D)- 310 Dt 30-7-2010

To

SHRI JAGMOHAN SAXENA, Advocate  
157, Heera Nagar  
DCM, Godawn  
Ajmer Road,  
Jaipur.

Subject:-Filing an Application before National Board of Wild Life, Delhi to review of order  
Dated 17.07.2009 taken in 15<sup>th</sup> meeting the condition for the Approval of  
1.400KV Dahara-Bhilwara line  
2.400KV Chabra –Hindon line

Respected Sir,

In reference to above the detail of the case is hereby submitted for reference

1. It is submitted that the route of two 400KV lines namely Dahara-Bhilwara and Chabra-Hindon are passing through the National Chambal Ghariyal Sanctuary. The case for granting the permission for laying of the lines in that area had been submitted in the National Board of Wild Life and the Hon'ble Supreme Court of India.

2. NBWL while recommending the case was letter dated 12.01.09 imposed the condition of 5% the total project cost to the State Forest Department for development of National Chambal Ghariyal Sanctuary.

3. RVPNL filed an appeal in the NBWL for reviewing the condition of 5% of the total project cost.

4. Later on the case was submitted in the Central Empowered Committee and the committee forwarded the case to the Registrar, Supreme Court of India N.Delhi with the recommendation to deposit 5% of the estimated cost of the project falling within the sanctuary area instead of 5% of the total project cost as per condition of the NBWL.

5. Hon'ble Supreme Court of India vide N. A. No.2555 in (civil) W.P. No.202/95 Dt.20.03.09 cleared the case of laying of transmission line as per the recommendation of the CEC. Accordingly, the amount of NPV and other charges were got deposited as per the estimate given by the concerning DFO's.

6. The request of RVPNL for revising the decision of NBWL was taken up in the 15<sup>th</sup> meeting of the standing committee of NBWL held on the 17<sup>th</sup> of July, 09 without information to any representative of RVPNL and in their absence the request was turned down as NBWL was unaware of the decision of the Hon'ble Supreme Court of India.

7. In view of the above decision the field officers of the forest Deptt. have revised the estimate and are insisting on deposition of the revised amount i.e. 5% of the total project cost as per condition of the NBWL.

8. The matter was referred to the Chief Wildlife Warden, Jaipur and as per his suggestion the matter was taken up with the Dy. Inspector General (Wildlife) Paryawaran Bhawan, CGO Complex, Lodhi Road, N.Delhi vide letter No. 100/2010 dated 06/04/2010 for reviewing the case as per the decision of the Hon'ble Supreme Court of India.

9. Inspite of repeated requests either in writing or through correspondences, the case is still pending in the Dy. Inspector General's Office and as such the decision has not been obtained as of now.

Yours faithfully,  
[Signature]

[Signature]  
Asst. Engineer-VI  
Rajasthan Rajya Vidyut Prasaran Nigam Limited  
Chittoorgarh

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LIMITED

OFFICE OF THE CHIEF ENGINEER(T&C)

Room No. 101, Near Load Despatch Centre, Heerapura (Keshupura)

Jaipur-302019.

PHONE No.: 2250092, Fax : 0141-2250092.

NO.RVPN/CE(T&C)/JPR/PTCC/F/D. 06

Dt. 6/4/10.

To,

The Dy. Inspector General(WL),  
Paryavaran Bhawan, CGO Complex,  
Lodhi Road, New Delhi-110003

Sub: Reviewing of the decision taken in the 15<sup>th</sup> meeting of the Standing Committee of NBWL regarding Diversion of land from National Chambal Ghariyal Sanctuary for 400KV S/C transmission line from Dahra to Bhilwara and 400KV S/C transmission line from Chhabra TPS to Hindaun.

Ref: 1. Your office letter No. nil, Dt. 27.07.09 regarding 15<sup>th</sup> meeting of the Standing Committee of NBWL.

2. This office letter No. 465 Dt. 12.11.09

3. Letter No. 794 Dt. 7.01.10 of the APCCF(WL), Jaipur (copy enclosed).

4. This office letter No. 563 Dt. 12.01.10

5. This office letter No. 617 Dt. 5.02.10.

Kindly refer our telephonic discussion held on 5.04.10 regarding reviewing of the decision of the NBWL committee in favour of RVPN looking to the decision given by the Hon'ble Supreme Court of India. The facts regarding the above case are being furnished below for your kind perusal and kind consideration.

The above mentioned Forest cases for which 15<sup>th</sup> meeting of the Standing Committee of NBWL was held on 17<sup>th</sup> July'09, to decide about the plea of RVPN to modify the condition regarding deposition of amount to be paid in lieu of diversion of Sanctuary area for the construction of the above mentioned lines. The condition was deposition of 5% of the total project cost to the State Forest Department for which RVPN had requested to be modified to 5% of the cost of the project falling in the Sanctuary area. However as per the decision awarded by the Hon'ble Supreme Court of India(copy enclosed), the amount of demand notice has already been got deposited with the respective field offices of the forest Depts.

In this context correspondences had been made with your good office and the Chief Wild Life Warden, Jaipur vide above mentioned letters. The APCCF(Wild Life), Jaipur vide his above mentioned letter has advised to convey the decision of the Hon'ble Supreme Court of India vide N.I.A No.2555 in (Civil) W.P.No. 202/95 Dt. 20.03.09 to the

(TCC-NDL, Udaipur)

Receipt No. 357 Dt. 23/4/10

APCCF (WL) Jaipur  
P.O.  
I.H.

J.A.C. Seal. A.O.

23/4/10 (S.E.)


Contd. 2

NBWL Committee for amendment in the decision taken in the 15<sup>th</sup> meeting of the Standing Committee of NBWL on 17.07.09, in favour of RVPN.

Hence it is requested to kindly arrange to get the case reviewed looking to the decisions of the Central Empowered Committee and the Hon'ble Supreme Court of India, so that the case may be finalized and the work of construction of the line be completed at the earliest.

Regards,


Encl: As above

  
(D.C.Gupta)

Chief Engineer(T&C),  
RVPN, Jaipur.

Copy to : 1. The Chief Wild Life Warden, Deptt. of Forests, Govt. of Rajasthan, Van  
Bhawan, Vaniki Path, Jaipur, for information and necessary action.

✓ 2. The Superintending Engineer(TCC-V/VII), RVPN, Kota/Udaipur.

  
Chief Engineer(T&C),  
RVPN, Jaipur.

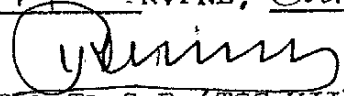
OFFICE OF THE SUPERINTENDING ENGINEER(TCC.VII)  
RVPNL, UDAIPUR  
No. RVPNL/SE/TCC.VII/UDR/F. \_\_\_\_\_

D. 230 Dt. 29/11/10

Copy to the following for information & n.a.:-

1. The Executive Engineer \_\_\_\_\_ RVPNL, \_\_\_\_\_

✓ 2. The Assistant Engineer C & M RVPNL, Chittorgarh

  
T.A. TO S.E. (TCC.VII)  
RVPNL, UDAIPUR

To,

The Chairman,  
The Central Empowered Committee,  
(Constituted by the Hon'ble Supreme Court Of India)  
Chankya Bhavan, Chankya Puri, New Delhi

**In The Matter of: APPLICATION NO. 1170 /2009**

Rajasthan Rajya Vidyut Prasaran Nigam Limited  
Versus  
The Secretary, Environment Department,  
Government of India and Others

**Re.: 400 kv single circuit transmission line from Dhara to Bhilwara**  
Sir,

Apropos to the discussion in the meeting held on 12.2.2009, the applicant before this Hon'ble Commission has reworked the distance of the first tower on both sides of the river bank so to make it as away from the river bank as possible. Resultantly, the first tower would be 70 meter (81 mtr. from the center of the tower) and 71 meter (82 mtr. from the center of the tower) away from the river bank respectively.

2. The total length of the transmission line from Dhara to Bhilwara is 155 km (145 SC + 10 DC) while the length falling within the sanctuary area is 2.8 km only. The cost of the project falling within the sanctuary area would be Rs. 6,90,59,789/-. The applicant has already moved an application before the NBWL for reconsideration of the condition for compensation @ 5% of the total project cost. The meeting was scheduled today i.e. on 20.2.2009 but the same has now postponed for 27.2.2009. The applicant would beseech this Hon'ble Committee to decide the application subject to final outcome of the reconsideration application before the NBWL, which the applicant is bound to comply with.

Thanking you.

Your Sincerely

Chief Engineer (T&C)  
Rajasthan Rajya Vidyut Prasaran Nigam Limited, Jaipur  
Through OIC  
Anil Kumar Singhal  
AEN VI, Chhitorgarh, Rajasthan.

**Dated: 20.2.2009**

To,

The Chairman,  
The Central Empowered Committee,  
(Constituted by the Hon'ble Supreme Court Of India)  
Chankya Bhavan, Chankya Puri, New Delhi

**In The Matter of: APPLICATION NO. 1171 /2009**

Rajasthan Rajya Vidyut Prasaran Nigam Limited  
Versus  
The Secretary, Environment Department,  
Government of India and Others

**Re.: 400 kv Single Circuit Transmission Line from Chhabra TPS to Hindaun**

Sir,

Apropos to the discussion in the meeting held on 12.2.2009, the applicant before this Hon'ble Commission has reworked the distance of the first tower on both sides of the river bank so to make it as away from the river bank as possible. Resultantly, the first tower would be 89 meter (100 mtr. from the center of the tower) and 239 meter (250 mtr. from the center of the tower) away from the river bank respectively. (map with requisite marking and details is enclosed).

2. The total length of the transmission line from Chhabra TPS to Hindaun is 285 km (275 SC + 10 DC) while the length falling within the sanctuary area is 2.8 km only. The cost of the project falling within the sanctuary area would be Rs. 7,45,89,986/-. The applicant has already moved an application before the NBWL for reconsideration of the condition for compensation @ 5% of the total project cost. The meeting was scheduled today i.e. on 20.2.2009 but the same has now postponed for 27.2.2009. The applicant would beseech this Hon'ble Committee to decide the application subject to final outcome of the reconsideration application before the NBWL, which the applicant is bound to comply with.

Thanking you.

Your Sincerely

Chief Engineer (T&C)

Rajasthan Rajya Vidyut Prasaran Nigam Limited, Jaipur

Through OIC

Anil Kumar Singhal

AEN VI, Chhitorgarh, Rajasthan.

**Dated: 20.2.2009**

o/c

MS. - 10/10/09

To,

The Chairman,  
Standing Committee, NBWL,  
Ministry of Environment & Forest  
Wildlife Division (Government of India)  
Paryavaran Bhawan, CGO Complex,  
Lodi Road, New Delhi- 110003

**Ref.:** Minutes of 13<sup>th</sup> meeting of the Standing Committee dated  
12.1.2009 No. F. No. 6-43/2007 WL-I (pt-V).

**Sub.:** Application for reconsideration of the condition no. 3 imposed under  
item no. 15 & 16 while recommending the proposal of Rajasthan  
Rajya Vidyut Prasaran Nigam Limited for passing of  
(i) 400 KV S/C transmission line from Dhara/ Kota to Bhilwara  
(ii) 400 KV S/C transmission line from Chhabra TPS to Hindaun  
through Chambal Gharial Wild Life Sanctuary in Rajasthan.

Sir,

1. It is respectfully submitted with regard to the captioned matter that this Hon'ble Committee vide its minutes of 13<sup>th</sup> meeting dated 12.1.2009 recommended proposal of the applicant Rajasthan Rajya Vidyut Prasaran Nigam Limited for passing of (i) 400 KV S/C transmission line from Dhara/ Kota to Bhilwara; (ii) 400 KV S/C transmission line from Chhabra TPS to Hindaun; through Chambal Gharial Wild Life Sanctuary subject to compliance of 4 conditions, out of which the condition no. 3 is as follows:-

"(iii) 5% of the total project cost will be deposited for the development of National Chambal Sanctuary."

2. The applicant respectfully submits that it is seriously aggrieved with the aforesaid condition being very exorbitant. Imposition of such a condition for payment of such an exorbitant amount as compensation is neither reasonable nor would be in the interest of a company like the applicant which is fully owned and controlled by the State Government. It is also relevant to mention here that imposition of any such compensation would raise the project cost and consequently the tariff of electricity to be paid the general public. In fact this condition of deposition of such a huge

amount is also in conflict with the latest decision of the Hon'ble Supreme Court reported in 2008(7) SCC 126, wherein the Hon'ble Supreme Court has determined the rates of Net Present Value (NPV) to be paid @ Rs. 6.99 lakhs per hectare.

3. It is respectfully submitted that the length of 400 KV S/C transmission line from Dhara/ Kota to Bhilwara is 155 Km. (145 S/C + 10 D/C) and length of 400 KV S/C transmission line from Chhabra TPS to Hindaun is 208.5 Km. (275 S/C + 10 D/C), while in both the cases only 2.8 Km. length of line has to be passed through the sanctuary land. It would therefore be appropriate that the condition no. 3 of item no. 15 and 16 may be modified on pro-rata basis i.e. 5% of the cost of the project falling within the sanctuary area.

4. It is also respectfully submitted that in item no. 15, it seems to have been inadvertently mentioned that the proposal involves 12.88 hectares of forest land. Infact this is a revenue land falling within the sanctuary area. The DFO Kota & Bundi has verified in his report in part III of the application that "NO FOREST LAND IS INVOLVED". Therefore, this typographical error needs to be rectified.

5. It is respectfully submitted here that the Chhabra Thermal Power Station is ready for generating energy but is put on hold for want of completion of erection of the abovementioned both the transmission lines. These lines are required to be completed by March 31<sup>st</sup>, 2009.

It is therefore humbly submitted that looking to the urgency of the matter, this application may kindly be taken up for consideration in immediately forthcoming meeting to be held on 20.2.2009 and the aforementioned prayers of the applicant may kindly be granted.

Your Sincerely

Chief Engineer (T&C)

Rajasthan Rajya Vidyut Prasaran Nigam Limited, Jaipur

Through OIC

Anil Kumar Singhal

AEN VI, Chhitorgarh, Rajasthan.

Dated: 13.2.2009



//कार्यालय प्रधान मुख्य वन सहायक एवं मुख्य वन्य जीव प्रतिपालक, राज.0, जयपुर//

क्रमांक/सक्या/टी वि विध/मजीप्र/09/ 13  
मिमित,

दिनांक: 2/04/09

वन सहायक एवं क्षेत्र निदेशक,  
बाध परियोजना, रणथम्भौर,  
कोटा ।

विषय:- 400कै.मी.सस/सी छप्पा टी.पी.सा.विन्डोन  
लाइन को गैर वन भूमि के प्रस्ताव के संबंध में।

महोदय,

उपरोक्त विषयान्तर्गत प्रकरण में तेन्दुल भूमावर्क कोर्टी  
की तिथारिवा दिनांक 27-2-2009 एवं इस प्रकरण में माननीय उच्चतम  
न्यायालय द्वारा पारित आदेश दिनांक 20-3-2009 की प्रति संलग्न  
प्रेषित कर देखा है कि माननीय न्यायालय के निर्देशानुसार सी.ई.सी.की  
तिथारिवा के अनुक्रम में कार्यवाही कर पालना कराना सुनिश्चित करें।  
सर्वगम:उत्तानुसार.

महोदय

मुख्य वन सहायक, 2/4/09  
वन्य जीव  
जयपुर ।

D-221  
28/5/09

Worley  
Srin  
225

Copy to AEM c&m TCC-VII  
R.V.P.N.L. Chittorgarh for further needfull action

EXECUTIVE ENGINEER (C&M TCC-VII)  
R.R.V.P.N.L. UDAIPUR

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.  
(PTCC DIVISION)

No.RRVPNL/ZCE(T&C-JPZ)/XEN(PTCC)/JPR/F.Forest/D. 27-De:22.4.09

Copy submitted /forwarded to the following for information and necessary  
action: The information copy was already sent on 9.4.09

- (1) The Superintending Engineer (TCC-V), RVPN, Kota.
- (2) The Superintending Engineer (TCC-VII), RVPN, Udaipur.
- (3) The Assistant Engineer-I (C&M TCC-V), RVPN, Kota.
- (4) The Assistant Engineer (C&M TCC-VII), RVPN, Chittorgarh.

Receipt No. 491

(M.L.HISSARIA)

Executive Engineer (PTCC)

NO/RVPNL/ SEC TCC-7/UDR/Beh/2009/P. 3 (2254/D.358) 21.15/5/09

→ copy to the Executive Engineer (C&M TCC-7) RVPNL, Udaipur for  
information & necessary action.

Executive Engineer-I (TCC-VI)

R.S.E. UDAIPUR

R.S. No. 221, Date 22/5/09

T.A. to Superintending Eng.  
(TCC-VII) R.V.P.N. UDAIPUR

# CENTRAL EMPOWERED COMMITTEE

(CONSTITUTED BY THE HON'BLE SUPREME COURT OF INDIA  
IN WRIT PETITION (CIVIL) No. 202/95 & 171/96)

Shri. Feroz, Charan Chandra, Charan, Charan, New Delhi 110001. Tel: 26554921, 25554923, 24101928, FAX No. 24101925

File No. 1-19/CEC/SC/2008-F-XX

Dated 27<sup>th</sup> February, 2009

To

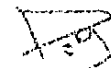
The Registrar  
Supreme Court of India  
New Delhi 110001  
(Attn: PIL Section)

Sub: Recommendation of the Central Empowered Committee in Application No. 1170 and 1171 filed before it by the Rajasthan Vidyut Prasaran Nigam Limited seeking permission of this Hon'ble Court for laying of two transmission lines passing through the National Chambal Ghazial Sanctuary.

Sir,

The Recommendation of the Central Empowered Committee on the above subject is enclosed (four copies). It is requested that the Recommendation may please be placed before the Hon'ble Court.

Yours faithfully,



(M.K. Jiwrajka)  
Member Secretary

Copy to:

- i) Mr. Harish N. Saiva, Amicus Curiae in Writ Petition Civil No 202/1995.
- ii) Mr. Udai Lalit, Amicus Curiae.
- iii) Mr. A.D.N. Rao, Amicus Curiae.
- iv) Standing Counsel for the MoEF.
- v) Secretary, Ministry of Environment & Forests, New Delhi.
- vi) Chief Secretary, Government of Rajasthan, Jaipur.
- vii) Principal Chief Conservator of Forests, Rajasthan Forest Department, Jaipur.
- viii) Standing Counsel for the State of Rajasthan.
- ix) Applicants / Respondents

# CENTRAL EMPOWERED COMMITTEE

RECOMMENDATIONS OF THE CEC IN APPLICATION NO.1170 AND 1171 FILED BEFORE IT BY THE RAJASTHAN VIDYUT PRASARAN NIGAM LIMITED SEEKING PERMISSION OF THIS HON'BLE COURT FOR THE LAYING OF THE TWO TRANSMISSION LINES PASSING THROUGH THE NATIONAL CHAMBAL GHARIYAL SANCTUARY

Application No.1170 has been filed before the CEC by the Rajasthan Rajya Vidyut Prasaran Nigam Limited seeking permission for the laying of the 400 kv Single Circuit Transmission Line from Dhara/Kota to Bhilwara, Rajasthan for the evacuation of power from Chhabra Thermal Power Station through the National Chambal Ghariyal Sanctuary. Similarly Application No 1171 has been filed by the same Applicant seeking permission for the laying of the 400 kv S/C Transmission Line from Chhabra Thermal Power Station to Hindaun for the evacuation of power from Chhabra Thermal Power Station through the National Chambal Garhyial Sanctuary. This Report is being filed by the CEC after examining both the above applications during the meeting held before the CEC on 12.2.2009 with the Applicant/Respondents.

## OBSERVATIONS AND RECOMMENDATIONS

2. The Rajasthan Rajya Vidyut Prasaran Nigam Limited (RRVPNL), a Government of Rajasthan Undertaking is laying

the following two transmission lines through the National Chambal Ghargyal Sanctuary for the evacuation of power from the Chambal Thermal Power Station:

i) 400 kv S/C Transmission Line from Dhara/Kota to Bhilwara; and

ii) 400 kv S/C Transmission Line from Chhabra TPS to Hindaun.

3. The total length of the transmission line from Dhara/Kota to Bhilwara is 175 kms out of which 2.8 kms will pass through the National Chambal Ghargyal Sanctuary. The right of way for the transmission lines will be 46 meters. The project involves the use of 12.88 hectares of non-forest land falling within the Sanctuary. No forest land or felling of trees is involved. The estimated cost of the project is Rs.190.77 crores out of which the cost of that part of the project falling within the Sanctuary area would be Rs.6.91 crores.

4. The total length of the transmission line from Chhabra TPS to Hindaun is 275 kms out of which 2.8 kms will be passing through the Sanctuary. The project involves the use of 12.88 hectares of land out of which 11.73 hectares is non forest land and the balance 1.15 hectares is forest land. No felling of trees is involved. The total cost of the project is Rs.219.04

crores out of which the cost of the project in respect of the area falling within the Sanctuary would be Rs.7.46 crores.

5 During the meeting held before the CEC, it was agreed by M/s RRVPNL to change the location of the towers so as to avoid the breeding area of the crocodile. M/s RRVPNL has agreed to locate the towers at least 70 mts. away from each of the river bank.

6. The two projects have been recommended for approval by the Chief Wildlife Warden, Rajasthan, Forest Department as well as by the State Wild Life Board. These projects were considered by the Standing Committee of the National Board for Wild Life in its meeting held on 12<sup>th</sup> December, 2008 (ANNEXURE R-I) and have been cleared subject to the compliance of the following conditions proposed by the Chief Wildlife Warden, Rajasthan:

- i) the establishment/construction of the piers will be done in the presence of the local forest staff;
- ii) tree felling/cutting of trees will not be allowed;
- iii) 5% of the total project cost will be deposited for the development of the National Chambal Sanctuary; and

- iv) no night camping should be allowed in sanctuary area.

7. After considering that both the projects are in public interest, are site specific, no felling of trees is involved and that the projects have been cleared by the Standing Committee of the National Board for Wild Life, it is recommended that this Hon'ble Court may consider permitting the laying of the 400 KV transmission lines: (i) from Dhara/Kota to Bhilwara; and (ii) from Chhabra TPS to Hindaun, passing through the National Chambal Ghariyal Sanctuary subject to the following conditions:

- i) for use of the forest land, approval under the FC Act will be obtained;
- ii) NPV for the forest land and non forest land falling within the Sanctuary, will be payable as per the Hon'ble Supreme Court's order dated 28.3.2008 and 9.5.2008 regarding the NPV;
- iii) 5% of the estimated cost of the project towards the laying of the transmission lines in the area falling within the Sanctuary will be deposited by the Applicant in the Compensatory Afforestation Fund;

- iv) the establishment/construction of piers will be done leaving at least 70 metres from each of the banks in the presence of the local forest staff;
- v) no felling of trees will be permissible, and
- vi) no night camping will be allowed in the Sanctuary area.

This Hon'ble Court may please consider the above Report and may please pass appropriate order in the matter.



(M.K. Jiwrajka)  
Member Secretary

Dated: 27.2.2009

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

I.A.Nos.828 WITH 833, 834-835, 837-838, 846-847, 893-894, 901-902, 903, 904, 1310-1310A in I.A.No.833 in I.A.No.828, 1329, 1330, 1331-1332, 1450-1452 in 1310, 2086 in 1329-1330 in 1310, 2447 in WP(C) No.202/1995

T.N.CODAVARMAN THIRUMULPAD

VERSUS

**Certified to be true copy**

Assist. of Registrar (Judl)

Supreme Court of India

Petitioner(s)

Respondent(s)

UNION OF INDIA & ORS

(Monitoring Report of C.E.C. Reg. "Illegal Mining in Aravalli Hills at appin. for directions/impledment/modification/clarification/ amendment in I.A./exemption from filing O.T. , intervention and permission to file addl. documents.)

AND

SLP(C)NO.3353/2003 (With appin.(s) for c/delay in filing and accepting English translation and permission to place addl. documents on record and exemption from filing O.T. and permission to file affidavit and c/delay and office report)

WITH C.A.No.7363/2000 (With appln.s) for directions and permission to place addl. documents on record and office report)

WITH C.A.No.7364/2000 (With appln.s) for permission to place addl. documents on record and directions and office report)

WITH C.A.No.7364/2000 (With appln.s) for permission to place addl. documents on record and directions and office report)

AND SLP(C)No.6419/2008 (with prayer for interim relief)

AND I.A.NOS.2147-2148 in W.P.(C)NO 202/1995  
(For intervention and permission)

AND

I.A.No.2211 in I.A.No.1424-1425 in W.P.(C)NO.202/1995  
(For clarification of court's order dt.29.2.2008)

AND

I.A.Nos.2331-2332 in 2167 in W.P.(C)NO.202/1995  
(For impledment & permission to file objection to CEC report)

WITH SLP(C)....CC 878/2009 (With appln.s) for c/delay in filing SLP and office report)

AND I.A.No.2555 in W.P.(C)NO.202/1995  
(For recommendation of CEC in appin.nos.1170 & 1171)



AND

I.A.No. 2522-2523 in W.P. (C) NO. 202/1995  
(For intervention and directions)

AND

I.A.No. 2524 in W.P. (C) NO. 202/1995  
(For Recommendation of CEC in appln. No. 1113)

AND

I.A.No. 2525 in W.P. (C) NO. 202/1995  
(For recommendation of CEC in appln. no. 1116)

AND

I.A.No. 2527 in W.P. (C) NO. 202/1995  
(for recommendation of CEC in appln. no. 1152)

AND I.A.No. 1631 in W.P. (C) NO. 202/1995  
(for impleadment/directions)

W.P. (C) NO. 469/2005 (With appln. (s) for exemption from filing O.T. and stay and office report)

Date: 20/03/2009 These Applns./Petitions were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE DR. JUSTICE ARIJIT PASAYAT  
HON'BLE MR. JUSTICE S.H. KAPADIA

Mr. Harish N. Salve, Sr. Adv. (A.C.) (NP)  
Mr. Uday U. Lalit, Sr. Adv. (A.C.) (NP)  
Mr. Siddhartha Chowdhury, Adv. (A.C.)  
Mr. A.D.N. Rao, Adv. (A.C.)

For Petitioner(s) In person (NP)

Mr. Aruneshwar Gupta, Adv.

Mr. Jitendra Mohan Sharma, Adv.

Mrs. Sheela Goel, Adv.

Mr. Puneet Jain, Adv.

Mr. A.K. Kotomath, Adv.

Mrs. Archana Tiwari, Adv.

For Mr. Sushil Kr. Jain, Adv.

For Respondent(s)/  
applicant(s)

Mr. P. Parmeswaran, Adv.

Mr. S.W.A. Qadri, Adv.

Mrs. Asha G. Nair, Adv.

Mr. A. Tarique, Adv.

Mrs. Kiran Bhardwaj, Adv.

For Mr. D.S. Mahra, Adv.

Mr. S.N. Terdal, Adv.

Mr. B.V. Balram Das, Adv.

Mrs. Anil Kaliyar, Adv.

I.A.No.2555 Ms. Shobha, Adv. (Mentioned by)  
Mr. Paninder Singh T., Adv.

I.A.No.2147-2148 Mr. Ramji Srinivasan, Sr. Adv. (Mentioned by)  
Mr. Mukesh Kumar, Adv.  
For M/s. M.V. Kini & Associates, Adv.

I.A.Nos.2331-32 Mr. Mukul rohtagi, Sr. Adv. (Mentioned by)  
Mr. Haris Beeran, Adv.

I.A.No.2211 Dr. A.M. Singhal, Sr. Adv. (Mentioned by)  
Ms. Binu Tanta, Adv.  
Mr. Milind Kumar, Adv.  
Ms. Sumita Hazarika, Adv.  
Mr. Dhruv Mehta, Adv.  
Mr. Yashraj Singh Deora, Adv.  
Mr. Mohit Abraham, Adv.  
For M/s. K.J. Mehta & Co., Adv.  
Mr. V. Balachandran, Adv.  
Mr. Anil Nag, Adv.  
Mr. Praveen Jain, Adv.  
Mr. D.N. Mishra, Adv.  
Ms. Sandhya Goswami, Adv.  
Ms. Saanjh N. Porohit, Adv.  
For M/s. Suresh A. Shroff & Co., Adv.  
Mr. S.K. Bhattacharya, Adv.  
Mr. Devendra Singh, Adv.  
Mr. Anuvrat Sharma, Adv.  
Ms. Yogmaya Agnihotri, Adv.  
For Mr. D.K. Sinha, Adv.  
Ms. Shcela Goel, Adv.  
Mr. Devashish Bharuka, Adv.  
Mr. Manish Kumar, Adv.  
Mr. Chandan Kumar, Adv.  
For Mr. Gopal Singh, Adv.

Mr.S.Ravi Shankar, Adv.

Mr.Sanjay R.Hegde, Adv.

Ms.Vibha Datta Makhiya, Adv.

Mr.Ram Swarup Sharma, Adv.

Mr.Rajesh Srivastava, Adv.

Mr.Soumyajit Pani, Adv.

Mr.S.Borthakur, Adv.

Mr.Sunil Kr.Jain, Adv.

Mr.Dharmendra Kr.Sinha, Adv.

Mr.Radha Shyam Jena, Adv.

Mr.Milind Kumar, Adv.

Mr.Vinod K.Shukla, Adv.

Mr.M.C.Dhingra, Adv.

UPON hearing counsel the Court made the following  
O R D E R

I.A.Nos.2147-2148:

List on 17.04.2009.

Meanwhile, reply affidavit, if any may be filed.

I.A.No.2211 in I.A.1424-1425 & W.P.(C)No.460/05:

List on 27.03.2009.

I.A.Nos.2331-2332 in 2167:

List on 24.04.2009.

I.A.No.2555:

This is an application by the Rajasthan Rajya Vidyut Prasaran Nigam Ltd. (RRVPL), for laying two transmission lines through the National Chambal Chariyal Sanctuary for the evacuation of power from the Chambal Thermal Power Station. C.P.C. has examined the matter and has recommended the same on fulfilling the following conditions :

1. for use of the forest land, approval under the F.C. Act will be obtained;
2. NPV for the forest land and non-forest land falling within the sanctuary, will be payable as per the Hon'ble Supreme Court's order dt. 28.3.2008 and 9.5.2008 regarding the NPV;
3. 5% of the estimated cost of the project towards the laying of the transmission lines in the area falling within the sanctuary will be deposited by the applicant in the Compensatory Afforestation Fund;
4. the ~~establishment/Construction of Piers will~~ *will be done leaving at least 70 metres from each of the banks in the presence of local forest staff;*
5. no felling of trees will be permissible; and
6. no night camping will be allowed in the sanctuary area.

All the aforesaid conditions are acceptable to the applicant. Permission is granted subject to fulfilment of the above conditions. I.A. is allowed accordingly.

Rest of the I.A.s on board:

Adjourned.

*ed*

(G.V. Ramana)  
Court Master

*ed*

(Madhu Saxena)  
Court Master



URGENT FEE Rs. 5/-

SUBJECT: *TA*  
Case No: *W.P.(C) # 202/1995*  
Matter No: *T.N. Godegoman*  
Brief Cause Title: *U.O. 1 + 00*

*Thirumulpad*

SEALED IN MY PRESENCE  
*Nbedu*  
*23/3/09*

SERIAL No. *A1- 11336/09*  
Nos. of Pages: *57-1*  
Costs including  
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*2/13/09*

Date of application for copy.....  
Date of receiving receipt's stamp.....  
Date of delivery of receipt's stamp.....  
Date of which the case was ready..... *23/3/09*  
Date of delivery to the court..... *23/3/09*  
*K. P. 21119*  
Clerk of Court  
District of *Madurai*

*A*  
*23/3/09*

## AFFIDIVIT

We hereby under take that all the condition of the order of Hon'ble supreme court issued on the recommendation of Central Empowered Committee, regarding construction of 400 KV D/C & S/C Dhara Bhilwara Line passing through National Chambal Ghariyal Sanctuary has been fulfilled as mentioned here under:

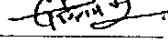
1. That No forest land is involved in this case.
2. The demand of forest department has already been deposited through RTGS in the CAMPA Account of Forest Department directly to New Delhi amounting to Rs.,136,75,930/- through Account payee cheque No.890454 dated 11/6/2009.
3. The Piller will be constructed 70 Mtrs. apart from the Bank of the River as per the drawing submitted to the CEC.
4. No Tree cutting will be done during construction this work..
5. No Night camping will be allowed in the sanctuary area.

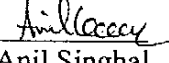


( R.P.BARWAR)

SUPERINTENDING ENGINEER (TCC VII)  
RRVPN, UDAIPUR.

Witness:

1. Signature   
Name :Shri D.K. Tarawat,  
Designation. XEN(C&M)  
RRVPN, Udaipur.

2. Signature   
Name :Shri Anil Singhal  
Designation. AEN(C&M)  
RRVPN, Chitorgarh.

A-6

**P. No. 6-43/2007 WL-I(pt-V)  
Government of India  
Ministry of Environment & Forests  
Wildlife Division**

**Paryavaran Bhawan  
CGO Complex, Lodi Road  
New Delhi-110003  
Dated: 12.01.2009**

To

**The Chief Wildlife Warden,  
Govt. of Rajasthan,  
Department of Forests,  
Van Bhawan, Vanik Path,  
Jaipur- 302 005.**

**Sub: 13<sup>th</sup> meeting of the Standing Committee of NBWL-consideration of  
proposal-Reg.**

Sir,

During the 13<sup>th</sup> meeting of Standing Committee of NBWL held on 12<sup>th</sup> December under the Chairmanship of Hon'ble Minister of State (Wildlife & Forest) for Environment & Forests, the following proposals pertaining to your State was considered. The relevant portion of the decision taken in respect of the proposals are reproduced below:

**1. Seismic Survey for oil exploration by ONGC and Focus Energy Limited**

Introducing the agenda, Member Secretary informed that a site inspection has been carried out by Dr. Asad Rehmani. Dr. Rehmani was requested to brief the Committee about his inspection.

Dr. Rehmani while apprising the members informed that the Desert National Park (DNP) is having an area of 3162 sq. kms and has been divided into three zones for oil exploration by three different companies namely, Northern portion (765 sq. kms) by Focus Energy Limited; Middle portion (400 sq. kms) by ONGC; and Southern portion by ENI (an Italian Company). While Focus Energy Limited was going to use a technique known as Accelerator Wave Drops (AWD), which appears to be less intensive and less impacting on environment, ONGC is going to use Vibrosis technology which sends high sound waves for 8-10 seconds to the ground. A number of heavy equipments were to be used in the Vibrosis technology which with the labour camps of the ONGC, in the area would cause negative impact on the vegetation of DNP. It was also clear that the vegetation above ground would also be disturbed heavily due to the movement of heavy instruments and bulldozers. Further, there would be long term impact on the vegetation and its growth in the area along with deleterious effect on fauna. These observations of Dr. Rehmani were also confirmed by the representatives of the project proponents.

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Another concern was impact of strong vibration on the Burrow Dwelling animals such as Spiny-tailed Lizard, Jerbills, Lizards Snakes etc. Therefore, there was a need to conduct a detailed scientific study prior to the survey. It is important to mention that this seismic survey is to be done at over 300 meters.

Taking into consideration these observations, Committee unanimously decided that before giving any recommendation in the matter, it was necessary to carry out a study on the impact of seismic survey on flora and fauna in particular reference to burrowing animals, outside DNP, where work of exploration of oil is already in progress and study should be funded by the project proponents to be carried out by a reputed institute in the field of wildlife conservation.

**2. Proposals for diversion of forest land from Desert National Park for construction of Gravel Roads for connecting different villages.**

Member Secretary informed that there were 11 proposals for diversion of small pieces of forests for construction of gravel roads under Pradhan Mantri Gram Sadak Yojana. In this connection, the site inspection was made by IGF (WL). IGF (WL) apprised the members about his site inspection and informed that 9 roads out of the proposed 11 roads could be recommended subject to the compliance of conditions given by CWLW in his recommendation. However, in two cases viz; Natur to Chonhani and Zihzinyali - Satto - Tegrawa, recommendation has been made with the reduced width of road to 12 meters only.

Agreeing to the recommendation of the inspecting team, Committee recommended the proposal unanimously subject to the conditions stipulated by CWLW and reduction in the width of two roads as advised during inspection.

At this juncture, Dr. M.K. Ranjitsinh sought clarification regarding agenda item No.3.2(23) which was discussed in the last meeting. Member Secretary informed that it was about diversion of 0.6708 ha of forest land from Mt. Abu Wildlife Sanctuary for parking facilities at Mt. Abu. In this connection, a clarification from the State Government about denotification of Mt. Abu Sanctuary was to be obtained. However, this matter could not be incorporated in the present agenda due to want of receipt of clarification from the State Government. CWLW, Rajasthan informed that the clarification by Government of Rajasthan has already been sent. Member Secretary informed that it would be put up for consideration of the Standing Committee of NBWL in the next meeting.

**3. Diversion of 2.2 ha of forest land from Sawai Man Singh Wildlife Sanctuary for construction of B.T. Road to Neemli Kalam from Sawai Man Singh Sanctuary.**

Since this area is a part of core critical Tiger habitat, comments of NTCA were sought. Member Secretary, NTCA has not recommended the proposal, as the area was sensitive habitat of tiger. Taking into consideration the recommendation of Member Secretary, NTCA, Committee unanimously rejected the proposal.

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4. **Diversion of 4.17 ha of forest land from Jamwa Ramgarh Wildlife Sanctuary for construction of missing link of National Highway-11 (Dausa - Manoharpur), Rajasthan.**

The proposal was considered by the Standing Committee in its meeting held on 18<sup>th</sup> August, 2008 in which it was decided to expedite the site inspection in this case. As the site inspection report was still awaited, it was decided to consider the proposal in the next meeting of the Committee.

5. **Survey and investigation for construction of four Hydropower projects on Chambal under Chambal development scheme, Rajasthan.**

The proposal was considered by the Standing Committee in its meeting held on 18<sup>th</sup> August, 2008 but could not be discussed in the absence of site inspection report. Member Secretary informed that in this case a site inspection has been made by Dr. M.K. Ranjitsinh and Sh. B.C. Choudhary of WII. Dr. Ranjitsinh briefed the members about his visit and informed that this proposal was for survey for construction of four dams at Chambal. No environmental impact assessment has been carried out so far. It was a package deal, in the sense that viability of four hydropower projects was interlinked and no project was economically viable independently. However, if the proposal is permitted after survey for implementations, it would lead to loss of 197 kms of Gharial and Dolphin habitats, both of which are most endangered species not only in the country but internationally also. It is important to mention that these species require running water as their habitats and not stagnant water or reservoir as in the case of crocodiles. He further, informed that in the three dams, which have been constructed on Chambal during last 50 years, Dolphins and Gharials have been wiped out. The Committee also observed that the total output from these four dams was only about 430 MW. Taking into consideration the site inspection report, observations of Dr. M.K. Ranjitsinh and deliberations thereafter, the Committee unanimously recommended to reject the proposal.

6. **Diversion of 21 ha of forest land from Desert National Park for construction of road Khabdala to Bachlya.**

Member Secretary informed that site inspection was yet to be carried out. Therefore, it was decided to discuss the matter in the next meeting.

7. **Diversion of 0.0604 ha of forest land falling in National Chambal Gharial Sanctuary at Kota for laying pipeline from Chambal river to Titanium Dioxide plants of M/s Agarwal Pigments Pvt. Ltd. near village Shambhu Pura, Tehsil Ladpura, Kota, Rajasthan.**

While briefing the members, Member Secretary informed that this proposal was being considered as per the directions of the Hon'ble Supreme Court issued on 17<sup>th</sup> September, 2008. The proposal was for diversion of 0.0604 ha of forest land of National

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Chambal Ghariyal Sanctuary for laying pipeline from Chambal river to the factory of M/s Agarwal Pigments Pvt. Ltd. for taking water from Chambal for their Titanium Dioxide Plants. This proposal was earlier rejected on the grounds that the project was not site specific and used water could cause water pollution in Chambal river. However, the project proponents informed the Committee that the water used in the plant would not be released back in the Chambal river and would be used for irrigation of Jatropha within the factory premises.

The Committee deliberated the matter in detail and observed that the proposal was not site specific and recommending any such proposal would be a bad precedent paving way for numerous other such requests for withdrawal of valuable water from Chambal Sanctuary for private purposes. Therefore, the Committee unanimously decided not to recommend the proposal.

8. **Diversion of 2.025 ha of forest land from Phulwari Ki Nai in Pradhan Mantri Gram Sadak Yojana for construction of gravel road from Ambasa to Chhall Bokra 0/0 to 6/500, Rajasthan.**

The proposal is for diversion of 2.025 ha of forest land from Phulwari Ki Nai Sanctuary for construction of gravel road under Pradhan Mantri Gram Sadak Yojana. CWLW, Rajasthan, has recommended the proposal. Observing that the proposal was for construction of gravel road for rural connectivity involving minimal area and CWLW has recommended the proposal, the Committee unanimously recommended the proposal, subject to compliance of conditions laid down by CWLW which are as follows:

1. No night camping shall be allowed during the construction of road by labour and construction activity will be permitted only during daytime only.
2. Speed breakers will be constructed at an interval of 500 mts. in Sanctuary area by user agency.
3. Construction of two check post at the entry point of Ambasa & Patwel by User Agency.
4. No tree cutting should be allowed.
5. The construction material for road will be brought from the area outside the Sanctuary.
6. User agency will clear all the debris left after construction activity.
7. The user agency will put and maintain sign board at every entry point on both sides of the sanctuary road mentioning that the road is passing through wildlife Sanctuary and drivers should be watchful about wildlife and drive cautiously.
8. In order to avoid accident of Wildlife, suitably designed under passes shall be constructed.

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9. **Diversion of 3.375 ha of forest land from Phulwari Ki Nal WLS in Pradhan Mantri Gram Sadak Yojana for construction of gravel road from Som to Sarean 2/0 to 9/500, Rajasthan.**

The proposal is for diversion of 3.375 ha of forest land from Phulwari Ki Nal Sanctuary for construction of gravel road under Pradhan Mantri Gram Sadak Yojana. CWLW, Rajasthan, has recommended the proposal. Observing that the proposal was for construction of gravel road for rural connectivity involving small area and CWLW has recommended the proposal, the Committee unanimously recommended the proposal subject to compliance of conditions laid down by CWLW which are as follows :

1. No night camping shall be allowed during the construction of road by labour and construction activity will be permitted only during daytime only.
2. Speed breakers will be constructed at an interval of 500 mts. in Sanctuary area by user agency.
3. Barrier should be constructed at entry & exit point of Sanctuary by User Agency.
4. No tree cutting should be allowed.
5. The construction material for road will be brought from the area outside the Sanctuary.
6. The user agency will not create borrow pit in Sanctuary area, for the construction road.
7. User agency will clear all the debris left after construction activity.
8. The user agency will put and maintain sign board at every entry point on both sides of the sanctuary road mentioning that the road is passing through wildlife Sanctuary and drivers should be watchful about Wildlife and drive cautiously.
9. Digging and installation of Four hand pump along with water through as per approved designed by Dy. Chief Wildlife Warden, Udaipur in Sanctuary area. (Two each on either side).

10. **Diversion of 1.2 ha of forest land from Jalsamand Sanctuary for Pradhan Mantri Gram Sadak Yojana for construction of gravel road from A/R Machikanta km.2 to Rahatguriya, Rajasthan.**

The proposal is for diversion of 1.2 ha of forest land from Jalsamand Sanctuary for construction of gravel road under Pradhan Mantri Gram Sadak Yojana. CWLW, Rajasthan, has recommended the proposal. Considering that the proposal was for construction of gravel road for rural connectivity involving small area and CWLW having recommended the project, the Committee unanimously recommended the proposal subject to compliance of conditions laid down by CWLW which are as follows :

1. No night camping shall be allowed during the construction of road by labour and construction activity will be permitted only during daytime only.
2. Speed breakers will be constructed at an interval of 500 mts. in Sanctuary area by user agency.
3. Construction of 1.2 mts. High Pucca store wall followed by mts Angle Iron barbed wire fencing along the road.

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4. No tree cutting should be allowed.
  5. The construction material for road will be brought from the area outside the Sanctuary.
  6. The user agency will not create borrow pit in Sanctuary area, for the construction road.
  7. User agency will clear all the debris left after construction activity.
  8. The user agency will put and maintain sign board at both side on entry point of the sanctuary and on both sides of the road mentioning that the road is passing through wildlife Sanctuary and drivers should be watchful about wildlife and drive cautiously.
  9. In order to avoid accident of wildlife, suitably designed under passes shall be constructed.
11. **Diversion of 2.07 ha of forest land from Jamwa Ramgarh Wildlife Sanctuary for upgradation of Raisar road to Bamanvati, Rajasthan**

The proposal was for upgradation of existing road from Raisar to Bamanvati in Rajasthan involving diversion of 2.07 ha forest land. During deliberations, Member Secretary, NTCA informed that it is a part of the proposed tiger buffer area and was very important for long term conservation of tiger in Sariska. Therefore, no upgradation of road should be permitted.

Considering these facts into consideration, the Committee unanimously rejected the proposal for upgradation and recommended that only existing road should be maintained without any upgradation.

12. **Maintenance of Border roads from Shly to Harsani Gadra, Munabav to Myajlar, Jaisalmer to Khuri to Myajlar, Harsani Myajlar, and Pabusariya Road passing through Desert National Park, Rajasthan.**

It was informed that all these roads were important from defence point of view and were passing through Desert National Park. Considering the importance of connectivity at the border areas and the fact that proposal was only for maintenance, Committee after deliberations unanimously recommended the proposal for maintenance of these border roads i.e. Shiv to Harsani Gadra, Munabav to Myajlar, Jaisalmer-Khuri-Myajlar, Harsani Myajlar, Pabusariya Road passing through Desert National Park, Rajasthan subject to compliance of the conditions envisaged by the Chief Wildlife Warden, Rajasthan in his recommendation. These conditions are as follows :-

1. Construction of speed breakers at regular interval of 1 km distance.
2. Erection of permanent signboards showing instruction/slogan for speed limit such as protected areas for wildlife. Controlled horn blowing, speed limit 40 km./hr. etc. at every 1 km interval.

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13. **Diversión of 2.7 ha of forest land from Jamwa Ramgarh Wildlife Sanctuary for upgradation of existing WBM road to BT status connecting Nimla to Dagota, Rajasthan.**

The proposal was for upgradation of existing WBM road to BT road connecting Nimla to Dagota, Rajasthan, involving diversion of 2.07 ha forest land in the Jamwa Ramgarh Sanctuary. During deliberations, Member Secretary, NTCA informed that it is a part of the proposed tiger buffer area and was very important for long term conservation of tiger in Sariska. Therefore, no upgradation of road should be permitted.

Taking these facts into consideration, the Committee unanimously rejected the proposal for upgradation and recommended that only existing road should be maintained without any upgradation subject to the conditions envisaged by CWLW in his recommendation which are as follows :-

1. No night camping shall be allowed during the construction of road by labour and construction activity will be permitted only during daytime only.
2. No tree cutting should be allowed.
3. The construction material for road will be brought from the area outside the Sanctuary.
4. The user agency will not dig borrow pit in Sanctuary area for the construction road.
5. User agency will clear all the debris left after construction activity.
6. The user agency will put and maintain sign board at every entry point on both sides of the sanctuary road mentioning that the road is passing through wildlife Sanctuary and drivers should be watchful about wildlife and drive cautiously.
7. All other paths, which pass through sanctuary for village Neemla & Dagota, will be restricted.

14. **Diversión of 1.2705 ha of forest land from Keladevi Wildlife Sanctuary for laying of Optical Fibre Cable from Karanpur to Mandrayal, Rajasthan.**

This proposal was for laying of Optical Fibre Cable from Karanpur to Mandrayal, Rajasthan in Keladevi Wildlife Sanctuary involving an area of 1.2705 ha of forest land.

Considering the fact that the proposal was only for laying optical cable in a very small area of the Sanctuary causing no negative impact on the habitat, Committee unanimously recommended the proposal subject to the compliance of conditions proposed by CWLW in his recommendations which are as follows :-

1. In order to control the poachers in the interest of wildlife conservation, four telephone connections at the cost of BSNL at Sapotra Range, Karanpur Range, Keladevi range and Baler Chowki.

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2. The trench will be dug up by user agency in such a way that no tree should be cut.
  3. No night camping should be allowed in Sanctuary area during digging the trenches and laying of OFC cable in sanctuary use.
15. **Diversion of 12.88 ha of forest land from National Chambal Ghariyal Sanctuary for 400 KV S/C line from Dahra to Bhilwara, Rajasthan.**

Member Secretary informed that the proposal involves laying of 400 KV S/C line from Dahra to Bhilwara, Rajasthan passing through 12.88 ha of forest land from National Chambal Ghariyal Sanctuary by Rajasthan Rajya Vidut Prasaran Nigam Ltd. Jaipur. CWLW, Rajasthan has recommended the proposal subject to the compliance of the following four conditions:-

1. The establishment/construction of piers, will be done in the presence of local forest staff.
2. Tree felling/cutting of tree will not be allowed.
3. 5% of the total project cost will be deposited for the development of National Chambal Sanctuary.
4. No night camping should be allowed in sanctuary area.

After deliberations, Committee unanimously recommended the proposal subject to the compliance of the conditions proposed by CWLW, Rajasthan in his recommendation.

- ✓16. **Diversion of 12.88 ha (11.73 ha Revenue land and 1.15 ha forest land) from National Chambal Ghariyal Sanctuary for 400 KV S/C transmission line from Chhabra-TPS to Hindaun, Rajasthan.**

The proposal involves laying of 400 KV S/C line from Chhabra TPS to Hindaun, Rajasthan passing through 12.88 ha (11.73 ha Revenue land and 1.15 ha forest land) of forest land from National Chambal Ghariyal Sanctuary by Rajasthan Rajya Vidut Prasaran Nigam Ltd. Jaipur. CWLW, Rajasthan has recommended the proposal subject to certain conditions.

After deliberations, Committee unanimously recommended the proposal subject to the compliance of the conditions proposed by CWLW in his recommendation which are as follows :-

1. The establishment/construction of piers will be done in the presence of local forest staff.
2. Tree felling/cutting of tree will not be allowed.
3. 5% of the total project cost will be deposited for the development of National Chambal Sanctuary.

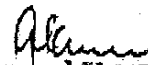
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4. No night camping should be allowed in sanctuary area.

These recommendations are subjected to the existing directives of Hon'ble Supreme Court and provisions of Forests (Conservation) Act, 1980.

Yours faithfully,

  
(Dr. Anmol Kumar)  
Deputy Inspector General (WL)  
Telefax: 011-24362813

Copy to:

1. The Principal Secretary (Forests), Department of Forests, Government of Rajasthan, Van Bhawan, Vanikd Marg, Jaipur-302009.
2. The Director, Agarwal Pigments Pvt. Ltd., 15 km. Mile Stone, N.H. 76, Distt. Kota-324008.
3. The Executive Engineer, PWD Division, Kotra (Udaipur), Rajasthan.
4. The Executive Engineer, PWD Division, Salumber, (Udaipur), Rajasthan.
5. The Executive Engineer, PWD Distt. Dn- III, Jaipur, Hd. Qr. Shahpura, Rajasthan.
6. The Commanding Officer, 96 RCC (GREF).
7. The Divisional Engineer, Barat Sanchar Nigam Ltd., Hindaun City-322230.
8. The Assistant Engineer, Rajasthan Rajya Vidyut Prasaran Nigam Ltd., Patel Circle, Udaipur, Rajasthan.
9. The Executive Engineer, Rajasthan Rajya Vidyut Prasaran Nigam Ltd., Sakatpur, Kota, Rajasthan.
10. The DGM (Geology), Oil & Natural Gas Corporation Ltd., Block III, WON Basin, Makarpura Road, Baroda-390009.
11. The Asstt. General Manager, Focus Energy Ltd., 3rd Floor, Gopala Tower, 25, Rajendra Place, New Delhi-110008.
12. The Executive Engineer, Public Works Department, Government of Rajasthan, PWD-Circle, Jaisalmer, Jaipur-302 005.
13. The Executive Engineer, Public Works Department, Government of Rajasthan, Division-III, PWD Circle, Bargarh, Rajasthan.
14. The Project Head, Public Works Department, Government of Rajasthan, Jaipur-302 005.
15. The Chief Engineer, Rajasthan Rajya Vidyut Prasaran Nigam Ltd. Jaipur- 302 005.
16. The Chief Wildlife Warden, Govt. of Rajasthan, Department of Forests, Van Bhawan, Vanikd Path, Jaipur-302 005.

  
(Dr. Anmol Kumar)  
Deputy Inspector General (WL)

**... कायालय उपवन सरदाक [मन्य जीव] कोटा ...**

क्रमांक- एक [ ] तकनीकी/उपवन/पजी/09-10/

दिनांक-

विषय - प्रधान मुख्य वन सरदाक  
एवं मुख्य मन्य जीव प्रतिपालक  
वन मघन जयपुर ।

विषय:- 400 कैदी/डी/डी/0 एण्ड एल. एल. जार्ज दाहरा से भीलवाड़ा के क्रम में मानवीय सर्वोच्च न्यायालय के आदेश दिनांक 20.3.09 के क्रम में ।

तन्मार्ग:- आपका पत्रांक एक 4 [ट] विविधा/मज्जीपु/01/13 दि. 2.4.09  
महोदय, 40=

उपरोक्त विधानान्तर्गत आपके उक्त प्राथमिक पत्र की पालना में मैन्सल एम्पावर्ड कमेटी की सिफारिश दि. 27.2.09 एवं सर्वोच्च न्यायालय के आदेश दि. 20.3.09 के क्रम में उक्त कार्यालय के पत्रांक 2355 दि. 27.4.09 से पूरक एलेक्सी विद्युत निगम सहायक अभियंता 1/1 [सी. एण्ड एम] टी. टी. टी. आर. आर. पी. पी. - एम. एल. चित्तौड़गढ़ को अत्यारण्य क्षेत्र में आने वाली 12.88 हेक्टेयर गैर कन्फ्यूमि की एन. पी. वी. राशि 103.4264 लाख रु व 6.94 करोड़ [ प्रोजेक्ट राशि ] के 5 प्रतिशत सेलिक्टिव मेसर्स के लिए रु 34.55 लाख रुपये जमा कराये जाने व अन्य समस्त शर्तों की पालना हेतु लिखा गया था ।

कार्यालय के पत्र के अनुक्रम में सुपररिन्टेन्डिंग इंजिनियर [टी. टी. टी. 1/1 आर. आर. पी. पी. एन. जयपुर का पत्रांक 700 दि. 24.6.09 प्राप्त हुआ है । जिसके द्वारा उन्होंने राशि रु 1,37,97,697.00 कैम्पा नौडल रीजल ऑफिसर के यहां 11 जून को यह राशि एल. बी. बी. के. जयपुर कोल्लेट ब्रांच से हस्तान्तर होना बताया है । बैंक स्टेटमेंट दि. 15.6.09 की छाया प्रति संलग्न है । कृपया इस क्रम में आवश्यक कार्यवाही करने का कट करे । तथा ही उनके द्वारा शर्तों की पालना में सेलिक्टिव पेरा किया है जो मूल ही संलग्न प्रेषित किया जा रहा है । प्रतिवेदन सूचनाओं एवं आवश्यक कार्यवाही हेतु प्रेषित है ।

संलग्न- उक्तानुसार

मावदीय

501-

उपवन सरदाक

मन्य जीव कोटा

31/7/09

क्रमांक- एक [ ] तकनीकी/उपवन/पजी/09-10/3567-70 दिनांक-

- प्रतिलिपि निम्न को सूचनाओं एवं आवश्यक कार्यवाही हेतु प्रेषित है :-
- 1] अति प्रधान मुख्य वन सरदाक व सरदाका एक टी. ए. जयपुर ।
- 2] वन सरदाक एवं क्षेत्र निदेशांक रण. बाघा परि. कोटा ।
- 3] सुपररिन्टेन्डिंग इंजिनियर [टी. टी. टी. 1/1 आर. आर. पी. पी. एन. पटेल तकनीक जयपुर को प्रेषित कर निवेदन है कि बाघ राशि कैम्पा एण्ड में जमा हो गई है के स्टेटमेंट की पुष्टि हेतु प्रस्तुत करें ।
- 4] मण्डल वन अधिकारी बुन्दी

उपवन सरदाक

मन्य जीव कोटा





**RAJASTHAN RAJYA VIDHYUT PRASARAN NIGAM LTD.**  
(An ISO Certified Company)  
(A Government of Rajasthan Undertaking)  
(Registered Office Vidhyut Bhawan, Jan Path, Jyoti Nagar, Jaipur)  
**OFFICE OF THE SUPERINTENDING ENGINEER (TCC VII)**  
**PATEL CIRCLE, UDAIPUR** TEL/FAX NO. 0294-2486329

NO.RVPNL/SE(TCC-VII)/UDR/Purchase/D. 456

Dated 28/5/09

**OFFICE ORDER**

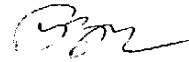
Sanction of the WTD RVPN, Jaipur is hereby conveyed for the demand of Forest Department for Completion of land of forest Rs.103.4264 lacs and Rs.6.91 corer i.e. 5% total cost of area covered under Wild Life Centaury Rs.34.55 lacs thus total amounting to Rs.137.9764 lacs (One hundred thirty seven point nine seven six four only) under item NO.74(a) of DOP. The expenditure shall be booked under head construction of 400 KV D/C and S/C Line from Dahara to Bhilwara.

  
(R.P. BARWAR)

**SUPERINTENDING ENGINEER (TCC-VII)**  
**RVPNL UDAIPUR**

Copy submitted/forwarded to the following for information:

1. The Chief Engineer (T&C), RRVPN, Heeranpura, Jaipur, this has with reference to his endorsement NO.178 dated 26/5/2009.
2. The Accounts Officer (TCC VII), RRVPN, Udaipur this has with reference to his concurrence given on note sheet dated 8/5/2009.
3. The Executive Engineer (C&M TCC VII), RVPN, Udaipur.
- ✓ 4. The Assistant Engineer (C&M TCC VII), RRVPN, Chittorgarh.



**SUPERINTENDING ENGINEER (TCC-VII)**  
**RVPNL UDAIPUR**

(16)

प्रमाणित/समर्थित/विशेष/समर्थित/2009/10-12-  
निमित्त

2/4/05

सुख्य वन संरक्षण,  
मानिकी विकास परियोजना,  
कोटा ।

मुसय पन मरकाक,  
अपौर ।

पन संरक्षा, स्व क्षेत्र निदेशना,  
साथ परियोजना, रणधर्मोर,  
फोटा ।

पिण्ड:- 400 के.पी.एल/ती.डा.एल-भी.सा.डा.  
विद्युत तारों के सम्बन्ध में ।

महोदय,

उपरोक्त विषयवस्तु प्रकरण में तेजस सम्पादक समिती की तिफारिश दिनांक 27-2-2009 एवं इस प्रकरण में माननीय उच्चतम न्यायालय द्वारा पारित आदेश दिनांक 20-3-2009 की प्रति तर्गम प्रेषित कर देव है कि माननीय न्यायालय के आदेश में वर्णितानुसार सभं ती-ई-सी की तिफारिश में वर्णितानुसार कार्यवाही करे तथा पालना प्रतिवेदन प्रेषित करे।

भयभीत

मुख्य धन तर'क,  
पन्थ जीव  
जयपुर ।

RAJASTHAN RAJYA VIDYUT PRASARAN NIGAM LTD.  
(PTCC DIVISION)

No. RRVPNI/ZCF(T&C-JPZ)/XEN(PTCC)/JPR/F.Forest/D. 88 Dt: 2 3/10/09

Copy submitted /forwarded to the following for information and necessary action: The Copy was received of the following on 7.6.05

- (1) The Superintending Engineer (TCC- V), RVPN, Kota..
- (2) The Superintending Engineer (TCC- VII), RVPN, Udaipur.
- (3) The Assistant Engineer- I (C&M TCC-V), RVPN, Kota.
- (4) The Assistant Engineer (C&M TCC-VII), RVPN, Chittorgarh.

SE (TCC-VII) RVF: [illegible]  
 Record of [illegible]

Receipt No. 408

(M.L. HESSARIA)

Executive Engineer(P) (C)

- RVPN, JALP: R

Est. + Ex

Stenort Corp.

415

475

:: कायलिय मण्डल वन अधिकारी, बूंदी (रा. ७०) ::

क्रमांक एक (१) वनसंस्थापन। मवका ०९।

दिनांक:-

निमित्त:- उपवन संरक्षक,  
वन्य जीव, कीटा ।

विषय:- 400 केवी एस। सी धारा-मीलवाडा लाइन के सम्बन्ध में ।


सन्दर्भ:- आपका पत्र क्रमांक एक (१) तक्रम। उषस। वली। 1801 दि०

2-4-09 ।

महोदय,

उपरोक्त विषया न्तर्गत यह है कि उक्त परियोजना में इस  
वन मण्डल का क्षेत्र 6-14 है० है। जिसकी डेनसिटी 0-4 से 0-5 है। <sup>Category - III</sup> है।  
डेन्स फॉरेस्ट की प्रणति में आता है। जिसकी शुद्ध वर्तमान मूल्य (एन्कीवी)  
र० 8-03/ला. की दर से नीला जाना उचित होगा ।


भवदीय,

  
मंडल वन अधिकारी,  
बूंदी।

क्रमांक एक (१) वनसंस्थापन। मवका ०९। ५/15

दिनांक 21/4/09

प्रतिलिपि सहायक अभियन्ता, विगीड गड (और आरवी पीएमएल,  
की सूचनाार्थ प्रेषित है।

  
मंडल वन अधिकारी,  
बूंदी।

16  


क्रमांक: एफ( ) तक. I / उवस / वजी /  
निमित्त,

दिनांक

मण्डल वन अधिकारी,  
बूंदी।

विषय:- 400 के.बी. एस/सी डापरा-भीलवाड़ा लाइन के सम्बन्ध में।

संदर्भ :- विद्युत प्रसारण निगम चित्तौड़गढ़ का पत्रांक 723-26 दिनांक  
31-3-09.

महोदय,

उपरोक्त विषयान्तर्गत निवेदन है कि संदर्भित पत्र के क्रम में प्राप्त माननीय सर्वोच्च न्यायालय की स्वीकृति दिनांक 20-3-09 के क्रम में शर्त संख्या 2 में एन.पी.वी. की मांग की जानी है तथा शर्त संख्या 4, 5 व 6 के लिए शपथ पत्र प्राप्त करना है। अतः माननीय सर्वोच्च न्यायालय के निर्णय दिनांक 28-3-08 व 9-5-08 के क्रम में आपके अधीन क्षेत्र के लिए एन.पी.वी. मांग बनाकर उपलब्ध कराने की कार्यवाही करें।

भवदीय,



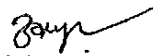
उप वन संरक्षक,  
वन्य जीव, कोटा

क्रमांक: एफ( ) तक. I / उवस / वजी / 1802-3  
प्रतिलिपि :-

दिनांक 2/4/09

1- सहायक अभियन्ता, चित्तौड़गढ़ को संदर्भित पत्र के क्रम में शर्त संख्या 4, 5, 6 के सम्बन्ध में सक्षम अधिकारी का पालना करने बाबत शपथ पत्र एवं 5 % राशि सी.ई.सी. में जमा कराने का प्रमाण प्रस्तुत करने हेतु प्रेषित हैं।

2- क्षेत्रीय वन अधिकारी, वन्य जीव अभयारण्य जवाहरसागर को प्रेषित कर लेख है कि माननीय सर्वोच्च न्यायालय के आदेशों के अनुसार एन.पी.वी. की मांग जो वसूल की जानी है गणना करने हेतु प्रेषित हैं। इस योजना में ~~का~~ क्षेत्र कुल 12.88 है ~~0~~ जिसमें से 6.44 हैक्टर आपके अधीन हैं।

  
उप वन संरक्षक,  
वन्य जीव, कोटा

OFFICE OF THE SUPERINTENDING ENGINEER(TCC.VII)

RRVPNL UDAIPUR

No.RVPNL/SE/TCC.VII/UDR/Tech./F. /D.

31

Dt: 24/09

The Chief Wild Life Warden,  
Van Bhawan,Jaipur.

Sub:- Demand for the diversion of non forest land for 12.88 hect. For the construction of 400 KV S/C Dhara-Bhilwara line.

Ref:- 1. Recommendation of Central Empowered Committee (CEC) vide letter No.CEC/SC/2008, dt. 27<sup>th</sup> Feb.2009.  
2.Order of Hon'ble Supreme Court case No.301 court no.1 Section PIL,XV,IVA.

In reference to the above cited for the construction of 400KV S/C Dhara-Bhilwara line passing over the National Chambal Ghariyal sanctuary. Recommendation of standing committee of NBWL submitted to the Central Empowered Committee (CEC) and then the recommendation of CEC submitted to the Honorable Supreme Court.

Honorable Supreme court approved the application with the same conditions as proposed by CEC in their recommendation.

The condition:-

- (i) For use of the forest land, approval under the FC Act will be obtained.  
In the condition No.(i) No forest land will be utilized for this line crossing work.
- (ii) NPV for the forest land and non forest land falling within the Sanctuary, will be payable as per the Hon'ble Supreme Court's order dated 28.3.08 and 9.5.08 regarding the NPV.

In the condition no.(ii) you are requested kindly issue the demand for the diversion of 12.88 hect. of non forest land.

- (iii) 5% of the estimated cost of the project towards the laying of the transmission lines in the area falling within the sanctuary will be deposited by the applicant in the Compensatory Afforestation Fund.

In the condition no.(iii) Amount will be deposited in the Compensation Aforestation Fund Rs.34.55 Lacs. 5% of cost of project inside the sanctuary area (Rs.6.91 crores) as per page no.3 in CEC report.

- (iv) The establishment/construction of piers will be done leaving at least 70 meters from each of the banks in the presence of local forest staff.

In the condition no.(iv) the work will be executed as per the enclosed (Drawing) as submitted to the CEC.(Map enclosed).

- (v) No felling of tress will be permissible and
- (vi) No night camping will be allowed in the sanctuary area.

Condition no.(v) & (vi) will be strictly follows at the time of execution.

You are requested kindly issue the demand for the diversion 12.88 hect. Non forest land as per the order of Hon'ble Supreme court date 28.3.08 and 9.5.08 regarding NPV, so that the amount will be deposited earliest.

Thanking you.

  
SUPERINTENDING ENGINEER  
TCC.VII RRVPNL UDAIPUR

Copy forwarded to:-

1. The Executive Engineer(C&M-TCC.VII)RVPNL,Udaipur for persue the matter.
2. The Asstt.Engineer(C&M-TCC.VII)RVPNL,Chittorgarh.

  
SUPERINTENDING ENGINEER

16



**RAJASTHAN RAJYA VIDHYUT PRASARAN NIGAM LTD.**  
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**OFFICE OF THE SUPERINTENDING ENGINEER (TCC VII)**  
**PATEL CIRCLE, UDAIPUR** TEL/FAX NO. 0294-2486329

NO.RVPNE/SE(TCC-VII)/UDR/Tech/F. /D.

700

Dt-

✓ The Divisional Forest Officer,  
Wild Life,  
KOTA

24/6/09

Subject: Compliance report of the order of Hon'ble Supreme Court dated 20/3/2009 for the construction of 400 KV D/C & S/C Line from Dhara to Bhilwara passing through National Chambal Ghariyal Sanctuary

With reference to above it is to inform you that as per order of Hon'ble Supreme Court dated 20/3/2009 issued on the recommendation of Central Empowered Committee, since all the formalities/condition of the order has been fulfilled by this office and an affidavit has now been enclosed herewith.

Therefore it is requested to kindly submit your compliance to the Chief Wild Life Warden, Forest Office Jaipur, so that further course of action may be taken at his end.

Encl: Affidavit.

( R.P.BARWAR )  
SUPERINTENDING ENGINEER (TCC VII)  
RRVPN, UDAIPUR.

Copy submitted/forwarded to the following for information and further needful:

- 1) The Chief Engineer (T&C), RRVPN, Jaipur
- 2) The Divisional Forest officer, Bundi for similar action.

SUPERINTENDING ENGINEER (TCC VII)  
RRVPN, UDAIPUR.