



**कार्यालय कृषि उपज मण्डी समिति**  
**"विशिष्ट श्रेणी" (अनाज) कोटा (राज0)**

(e-Mail : kums.kotagr@rajasthan.gov.in, Phone No. : 0744-2490674, 2490475)

क्रमांक : वन विभाग/2024-2025/1555

दिनांक : 11-02-2025

उप वन संरक्षक  
सिविल लाईन्स,  
नयापुरा, कोटा।

विषय :- भामाशाह कृषि उपज मण्डी विस्तार वन भूमि प्रत्यावर्तन प्रस्ताव  
FP/RJ/OTHERS/20036/2016 में राज्य सरकार द्वारा जारी EDS  
बाबत।

प्रसंग :- आपके कार्यालय का राजकाज संदर्भ 12452323/6280 दिनांक  
16.12.2024

महोदय,

उपरोक्त विषयान्तर्गत निवेदन है कि माननीय सर्वोच्च न्यायालय द्वारा गठित Central Empowered Committee की अनुशंषा रिपोर्ट में वर्णित अनुशंषा क्रमांक 8 एवं 9 की अनुपालना में भारत सरकार से जारी हुई सैद्धान्तिक स्वीकृति F-No-8-13/2006-FC दिनांक 06.07.2006 में अधिरोपित शर्त संख्या XIV एवं XV के क्रम में बाईपास के 1 किमी. तक green belt विकसित किये जाने की शर्त में शिथिलन प्राप्त किये जाने हेतु मण्डी समिति द्वारा Central Empowered Committee में दिनांक 15.01.2025 को आवेदन किया जा चुका है, जिसका क्रमांक 1596/2025 है।

उक्त प्रकरण में Central Empowered Committee में दिनांक 06.02.2025 को सुनवाई की गई। प्रकरण में आगामी सुनवाई दिनांक मार्च-2025 के प्रथम सप्ताह में संभावित है।

संलग्न : उक्तानुसार

(मनोज कुमार मीना)  
सचिव  
कृषि उपज मण्डी समिति  
(अनाज) कोटा

ADM(R)/PA

30/1/2025

## CENTRAL EMPOWERED COMMITTEE

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

III Floor, Chanakya Bhawan, Chanakyapuri, New Delhi-110021, Tel: 2161 0612, 21610613

Email ID: [cecindia202@gmail.com](mailto:cecindia202@gmail.com), Website: [cecindia.in](http://cecindia.in)

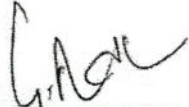
F. No. 1-5/CEC/SC/2020-Pt. XVII

Dated: 28.01.2025

### Notice for Meeting

Sub: Application No. 1596 of 2025 filed by Krashi Upaj Mandi Samiti (Grains) Kota- Application for modification/clarification of the condition No. 14 & 15 of the MoEF letter dated 06.07.2007 by which clearance was granted for NH- 76 Kota Bypass, Rajasthan.

I am directed to inform you that, a meeting on the above subject is scheduled to be held on 06<sup>th</sup> February 2025 from 11.00 A.M. onwards in the Meeting Room of the Central Empowered Committee, 3<sup>rd</sup> Floor, Chanakya Bhawan, Chanakyapuri, New Delhi-110021. The Principal Secretary, (Forest and Environment), the Principal Chief Conservator of Forest, Rajasthan Forest Department, the District Magistrate, Kota, the Divisional Forest Officer, Kota, the representative of the MoEF& CC, and the Applicant/ Respondent are requested to attend the meeting along with all relevant documents.

  
(Banumathi G.)  
Member Secretary

### Distribution:

1. The Secretary, Ministry of Environment Forest & Climate Change, New Delhi
2. The Chief Secretary, Government of Rajasthan
3. The Principal Chief Conservator of Forests (HoFF), Government of Rajasthan, Jaipur
4. The District Magistrate, District Kota, Rajasthan
5. The Divisional Forest Officer, District Kota, Rajasthan
6. Sh. A.D.N. Rao, Supreme Court, Sr. Advocate and Amicus Curiae
7. Sh. Siddhartha Chowdhury, Supreme Court Advocate and Amicus Curiae.
8. Sh. K. Parameshwar, Advocate & Amicus Curiae
9. Dr. Mahendra Singh Kachhawa, Advocate for the Applicants in Application No. 1596 of 2025 filed by Krashi Upaj Mandi Samiti (Grains), Kota
10. Standing Counsel for the State of Rajasthan
11. All members of the CEC.



BEFORE THE CENTRAL EMPOWERED COMMITTEE,  
(CONSTITUTED BY THE HON'BLE SUPREME COURT OF INDIA)  
CHANKYA BHAVAN, CHANKYAPURI, NEW DELHI.

Application No. **1596** /2025

KRASHI UPAJ MANDI SAMITI (GRAINS), KOTA

...Applicant

VERSUS

THE SECRETARY, MINISTRY OF ENVIRONMENT, FOREST  
& CLIMATE CHANGE, GOVERNMENT OF INDIA, NEW  
DELHI AND OTHERS

...Non-Appllicants

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FILED BY

*Dr. Mahendra Singh Kachhawa*  
R/301/1990

Counsel for Applicant

Dr. Mahendra Singh Kachhawa (R/301/1990)

945-C, 'Tiger House' Road No. 3, Shanti Nagar,

Durgapura, Jaipur-302018

Mobile- 9414044336

Email- wildkachhawa@gmail.com

New Delhi

Date : 15/01/2025.



1  
BEFORE THE CENTRAL EMPOWERED COMMITTEE,  
(CONSTITUTED BY THE HON'BLE SUPREME COURT OF INDIA)  
CHANKYA BHAVAN, CHANKYAPURI, NEW DELHI

Application No. /2018

Krashi Upaj Mandi Samiti (Grains) Kota

...Applicant

VERSUS

The Secretary, Ministry Of Environment,  
Forest & Climate Change, Government of  
India, New Delhi and Others

...Non-Applicants


APPLICATION FOR MODIFICATION/  
CLARIFICATION OF THE CONDITION NO. 14 &  
15 OF THE MoEF LETTER DATED 06.07.2007  
BY WHICH CLEARANCE WAS GRANTED FOR NH-  
76 KOTA BYPASS.

MOST RESPECTFULLY SHOWETH:

1. Name and address of the applicant :-

Krashi Upaj Mandi Samiti (Grains),  
Kota, Rajasthan through its  
Secretary.

---Applicant


  
सचिव  
कृषि उपज मण्डी समिति (अनाज)  
विशिष्ट श्रेणी, कोटा

2. Name and addresses of the respondents:

- (i) The Secretary, Ministry of Environment, Forest & Climate Change, Government of India, Parayavaran Bhawan, CGO Complex, Lodhi Road, New Delhi.
- (ii) The Principal Secretary, Department of Forest and Environment, Secretariat, Jaipur, Rajasthan.
- (iii) The Addl. Principal Chief Conservator of Forests and Nodal Officer, FCA Aranya Bhawan, Jhalana Doongri, Jaipur.

---Non-Applicants

- i. That the applicant agency had purchased an land from RIICO Ltd., Rajasthan after payment of requisite amount in lieu of the land for the purpose of Krashi Upaj Mandi.

  
 कृषि उपज मण्डी समिति (अनाज)  
 विभिन्न ग्रामी, कोटा




- ii. That the applicant. agency was established on 30.01.1964 and in the year 1998 after allotment of land by Rajasthan State Industrial Development and Investment Corporation Ltd. (RIICO), the agency is operational and is a semi-government autonomous body. It is submitted that the Mandi Samiti directly provides employment to 9000-10000 people and to 1 Lakh (approx.) people indirectly especially to farmers and is also generating a direct & indirect revenue of about 50 crores to the State Government.
- iii. That with the time need for expansion of the applicant agency arose and to meet out the said need, after consultation with the district administration, public representatives and other stakeholders it was decided that the adjacent barren forest land may be

*Handwritten signature*  
सचिव  
कृषि उपज मण्डी समिति (अनाज)  
विशेष अग्री, कोटा

diverted for the said purpose under the provisions of the Forest Conservation Act, 1980 and accordingly, the proposal for diversion of 74 hectares of forest land was duly filed before the competent authorities.

- iv. That while conducting the inspection with respect to diversion proposal, the Divisional Forest Officer, Kota informed the applicant agency that some existing part of the applicant agency is falling in forest land admeasuring 22 hectares. Although the applicant agency submitted before the DFO, Kota that the said land was allotted by the government itself and there might be some defects in the revenue record or some mistake had been committed by the then officials in measurement of land, who handed over the possession of the land to the applicant agency.

  
सचिव  
कृषि उपज मण्डी समिति (अनाज)  
विशिष्ट श्रेणी, कोटा



- v. That the applicant agency in furtherance of the observations made by the DFO, Kota submitted a revised a proposal of 96 hectares i.e.. (74+22) as per the FCA.
- vi. That the respondent no. 1 vide letter dated 10.02.2006 recommended the diversion proposal of forest land from National Chambal Sanctuary, Rajasthan for construction of 4 lane Kota by-pass by National Highway Authority of India, subject to the conditions as stated in the site inspection report. The photo copy of the MoEF letter dated 10.02.2006 along with site inspection report is annexed herewith and marked as **Annexure-A/1.**
- vii. That in furtherance of the aforementioned site inspection report, the respondent no. 1 has granted clearance for NH-76 vide letter dated 06.07.2007. The condition no. 14 & 15 read as under:-

  
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विशिष्ट श्रेणी, कोटा

'14. The area falling between Kota-Jhalawar road and Chambal River shall be preserved as a green belt to the Kota city. Similarly, the forest land existing north of the bypass between Kota-Jhalawar road and Chambal River shall also be preserved as a green belt to the Kota city.

15. The cost of permanent fencing and developing the green belt upto one kilometer of the bypass road on forest land shall be included in the cost of bypass project apart from the Compensatory Afforestation and other costs.'

The photo copy of the MoEF letter dated 06.07.2007 is annexed herewith and marked as **Annexure-A/2.**

viii. That the land proposed for development of green belt in compliance of the conditions of the letter dated

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कृषि उपज मण्डी समिति (अनाज)  
विशिष्ट अर्णी, कोटा



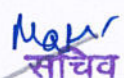
06.07.2007 is falling in 96 hectares of the applicant agency and as per the survey report of the DFO, Kota the said land is a barren/rocky land and cannot be used for plantation purpose. The photo copy of the DFO, Kota inspection report dated 24.01.2018 is annexed herewith and marked as **Annexure-A/3**. It is further submitted that as per DFO letter dated 17.05.2018 until and unless the compliance of letter dated 06.07.2007 are not done, the diversion proposal of the user agency cannot be preceded further. The photo copy of the DFO, Kota letter dated 17.05.2018 is annexed herewith and marked as **Annexure-A/4**.

- ix.** That the Divisional Chief Conservator of Forests, Kota in his factual report has also recommended that the land proposed for development of green belt is barren land, therefore, the green belt be shifted to 1 KM at Daaddevi

*Naar*  
**सचिव**  
 कृषि उपज मण्डी समिति (अनाज)  
 जयपुर, जयपुर, राजस्थान

Forest area. The photocopy of the Divisional Chief Conservator of Forest, Kota factual report is annexed herewith and marked as **Annexure-A/5**. Similarly, the DFO, Kota vide letter dated 20.12.2022 has also recommended that the green belt be shifted to 1 Km Daaddevi Forest area. The photocopy of the DFO, Kota letter dated 20.12.2022 is annexed herewith and marked as **Annexure-A/6**.

- x. That Deputy Conservator of Forest, Kota while examining the applicant agency diversion proposal i.e. File No. FP/RJ/Others/20036/2016 has recommended the proposal with certain conditions in his site inspection report dated 30.01.2023. The photo copy of the site inspection report dated 30.01.2023 submitted by DCF, Kota is annexed herewith and marked as **Annexure-A/7**.
- xi. That the applicant hereby most respectfully submits that incase the

  
 सचिव  
 कृषि उपज मण्डी समिति (अनाज)  
 विशिष्ट श्रेणी, कोटा




barren forest land on which green belt is proposed for compliance of the letter dated 06.07.2007 is diverted in favor of the applicant agency, the applicant agency will provide the equal land in lieu of the said land for development of green belt where plantation can be easily done and hence the compliance of letter dated 06.07.2007 will also be done.

**P R A Y E R**

It is, most respectfully prayed that in the light of submissions made herein above, this application may kindly be allowed and the Hon'ble Committee may pleased to direct that-

- (i) the condition no. 14 & 15 of the letter dated 06.07.2007 may be modified and the forest department be directed to allot the barren forest land in favor of the applicant agency,

  
साथिव  
कृषि उपज मण्डी समिति (अनाज)  
विशिष्ट ग्रेणी, कोटा

(ii) the applicant agency may be permitted to provide suitable land to the forest department for compliance of mitigative measures of the letter dated 06.07.2007 in lieu of the barren forest land,

(iii) pass any other orders and directions which this Hon'ble Committee may deem fit and proper in the interest of justice.

Filed by

(

  
सचिव  
कृषि उपज मण्डी समिति (अनाज)  
विशिष्ट सचिव  
Secretary

Krashi Upaj Mandi Samiti (Grains), Kota



Counsel for Applicant

Filed on 15/01/2025  
New Delhi.



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BEFORE THE CENTRAL EMPOWERED COMMITTEE,  
(CONSTITUTED BY THE HON'BLE SUPREME COURT OF INDIA)  
CHANKYA BHAVAN, CHANKYAPURI, NEW DELHI.

Application No.                      /2025

Krashi Upaj Mandi Samiti (Grains) Kota

...Applicant

**VERSUS**

The Secretary, Ministry Of Environment,  
Forest & Climate Change, Government of  
India, New Delhi And Others

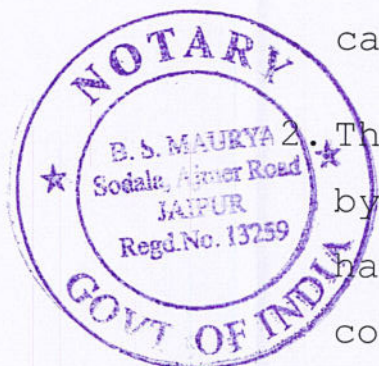
...Non-Applicants

**AFFIDAVIT**

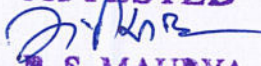
I,                      Manoj                      Kumar                      Meena  
son                      of                      Jagdish                      Prasad                      Meena,  
aged                      about                      42                      years,                      Working                      as  
presently, Secretary, Krashi Upaj Mandi  
Samiti (Grains), Kota at present at New  
Delhi, do hereby state on oath as  
under:-

1. That I am applicant concern, so I am  
well conversant with the facts of the  
case.


2. That the application has been drafted  
by my counsel under my instructions. I  
have read over and understood the  
contents of the application.



**ATTESTED**

  
**B. S. MAURYA**  
Notary (Govt. Of India)  
Sodala, Ajmer Road, Jaipur

16 JAN 2025

  
**सचिव**  
कृषि उपज मण्डी (ग्रनाज)  
विशेष क्षेत्र, कोटा



3. That the contents of para no. I to X of the application are true and correct to my knowledge based on record.
4. That the documents annexed with the application as Annexure-A/1 to A/6 are true and correct photo copy of its respective originals.

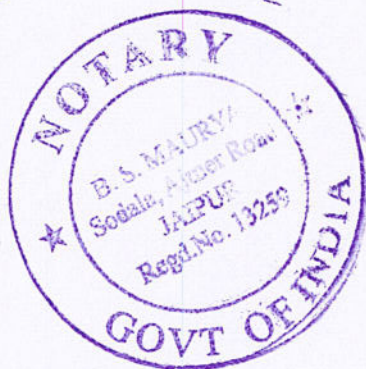
*Maurya*  
सचिव  
कृषि उपज मण्डी समिति (अनाज)  
विशिष्ट श्रेणी, कोटा  
DEPONENT

### VERIFICATION

I, the above named deponent do hereby verify on oath that contents of the para 1 to 4 of my above affidavit are true and correct to my personal knowledge. Nothing material has been concealed therein and no part thereof is false.

Witnessed By

*[Signature]*



ATTESTED  
*[Signature]*  
B. S. MAURYA  
Notary (Govt. Of India)  
Sodala, Ajmer Road, Jaipur

16 JAN 2025

*Maurya*  
सचिव  
कृषि उपज मण्डी समिति (अनाज)  
विशिष्ट श्रेणी, कोटा  
DEPONENT



Annexure - A/1

13

Annexure - A/1  
13

Paryavaran Bhawan  
CGO Complex, Lodi Road,  
New Delhi-110003  
Dated: 10.02.2006

Ministry of Environment & Forests  
Government of India

F. No. 6-3/2003 WL-1 (PI)



The Chief Wildlife Warden,  
Govt. of Rajasthan  
Department of Forests  
Van Bhawan, Vaniki Path  
Jaipur-302005

Sub: Proposals for diversion/denotification of National Park/Sanctuary for non-forestry purposes.

Sir,

During the meeting of the Standing Committee of National Board for Wildlife held on 20<sup>th</sup> January 2006, under the Chairmanship of Minister, Environment & Forests, the following proposal pertaining to the state of Rajasthan was considered. The relevant portion of the decision taken in respect of the proposal is reproduced below:

1. Diversion of forest land from National Chambal Sanctuary, Rajasthan, for construction of 4 lane Kota by-pass by National Highway Authority of India.

"The Committee was informed that the site inspection was carried out by Dr. R.B. Lal, IGF(WL), Shri P.R. Sinha, Director, WII and Dr. Suskanta Choudhary, Professor, WII. Dr. Lal apprised the Members of the findings of their report. The inspection team in their report has recommended the alignment of Kota barrage subject to the compliance of 12 conditions detailed in the inspection report. After detailed discussions, the Committee unanimously recommended the proposal subject to compliance of all the conditions envisaged by the inspection team in their report."

All these recommendations are subjected to the existing directives of Hon'ble Supreme Court and provisions of Forest Conservation Act, 1980.

Yours faithfully,

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

Encl: Site Inspection report of National Chambal Sanctuary.

Copy to:

1. The Principal Secretary (Forests), Government of Rajasthan.
2. National Highways Authority of India, G-5&6, Sector-10, Dwarka, New-Delhi-110045.

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



14

(14)

## SITE INSPECTION REPORT ON PROPOSAL FOR DIVERSION OF FOREST LAND FROM NATIONAL CHAMBAL SANCTUARY, RAJASTHAN FOR CONSTRUCTION OF FOUR LANE KOTA BY- PASS

The Standing Committee of National Board for Wildlife in the meeting held on 3<sup>rd</sup> April 2005 had decided that an expert team comprising of Inspector General of Forests (Wildlife) in the MoEF, Director, Wildlife Institute of India and Shri A.R. Rahmani, Director, BNHS would make a site inspection on proposal for diversion of forest land from National Chambal Sanctuary, Rajasthan for construction of 4 lane Kota by-pass by National Highway Authority of India (NHAI). In pursuance of the decision, the team comprising of Inspector General of Forests (WL), MoEF and Director, Wildlife Institute of India visited the site on 20-21<sup>st</sup> November 2005. Shri A.R. Rahmani could not join the team on account of his ill health. Dr. Sushant Chowdhury, Professor, Wildlife Institute of India joined the team as an expert on faunal studies in the Chambal River. The official from the Forest Department, Rajasthan, representatives from National Highway Authority of India accompanied the team during site inspection.

The Committee also had discussion with public representatives, district administration and representatives from NGOs.

A power point presentation was made by the representatives from National Highway Authorities of India (NHAI).

Based on the examination of records, site visit and discussion with state officials, the report of the committee is as below:

### General description of the area

The Chambal River from its origin in Vindhya hill ranges to its downward gradient has four successive dams and barrages constructed in early 70's. These are Gandhi Sagar Dam, Rana Pratap Sagar Dam, Jawahar Sagar Dam and Kota



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barrage. At present the National Chambal WLS comprises two separate portions - one from Jawahar Sagar Dam to Kota Barrage (approx. 25 kms. river stretch) and other above Pali to Panchnada (450 kms. of river length). The latter portion is the major habitat of gharial, mugger, otter, gangetic dolphin, many soft and hard shelled turtles, migratory birds and fishes. The portion between Kota barrage up to Pali of the river Chambal has been kept out of the National Chambal WLS in view of disturbances and human use of the river in this stretch.

The upper portion of the National Chambal WLS falling between Jawahar Sagar Dam to Kota barrage is a modified habitat. This portion of the Chambal river has high rocky outcrop, banks and gorges, favorable for mugger but less suitable for gharial. Lack of gentle sloping nesting banks are restrictive factor for gharial to flourish in this area. Water fluctuation due to dam/barrage operation also impounds the nests of gharial, which are always laid closer to bank. Though there are a few Gharial in this portion, whether their population is self sustaining, needs investigation and research. The interaction and competition with mugger may be another aspect which may affect gharial population in this stretch. Information on population estimation of crocodiles (mugger & gharial) in the Chambal WLS between Kota barrage to Jawahar Sagar Dam could not be provided to us. However, during our inspection in Jawahar Sagar Dam we could see one big mugger crocodile on a surveyed stretch of 10 Km.

The other PAs nearby is Jawahar Sagar WLS and Dara WLS. The important fauna of this region comprises of leopard, hyenas, sloth bear, langur, cheetah and sambhar. A tiger was reported from this area in past which reportedly died in a train collision. The adjoining forests near Kota have open Acacia - Zizyphus forests. The better protected forests on right bank have bamboo i.e. *Dendrocalamus strictus* and sporadic *Boswellia serrata*. The left bank of the river Chambal has less human pressure and has good forests of *Anogeissus pendula*. Dara WLS on North West is contiguous with Jawahar Sagar WLS. The highway NH 12 leading to Jhalawar divide Dara WLS in two halves. There is a proposal



from State Forest Department, Rajasthan for declaring Dara WLS including some portion of Jawahar Sagar WLS as National Park. There is a big chunk of RFEs (Mashalpura block A roughly 1000 ha) on South-East of Jhalawar road divide which may be added to Dara WLS.

Chambal WLS is the nearest PA to Kota city extending from Jawahar Sagar Dam to Kota barrage. One Km of land area both side of the river bank is included in the Sanctuary to maintain its ecological integrity. Kota Township is located on the right bank of Chambal. Growing township pressure is on the right bank from Kota barrage upstream of river almost to a distance to 20 Km. The Chambal WLS on its right bank has lost land buffer of one Km at places up to Soybean factory from where the by-pass (Alignment 2) has been proposed. The engineering college boundary has almost reached the river bank. A large chunk of land also has already been diverted to Urban Improvement Trust (UIT) and Rajasthan Industrial Investment Corporation (RIICO). There is enormous pressure on land for urban development and open cast mining for stone slabs.

The catchments of the Chambal River bank from Kota barrage and downstream have greater potential for agriculture output. The black cotton soil with regime of sub-soil moisture is very conducive for crops like paddy, wheat and soybean etc. The by-pass alignment no. 1 is traversing through this stretch of fertile land. As per the officials accompanying the team, this kind of soil is not good for road construction. They also informed that being low-lying it is susceptible to natural and dam operated floods. People displacement and resentment due to loss of potential agriculture lands are the major administrative and political issues which cannot be ignored, averred the officials of NHAI.

#### Alternatives considered

Our inspection revealed little scope for widening existing NH 76 especially within Kota township area. At present there are two major highways - highway No. 76 (from Shivpuri - Kota - Chittorgarh) and highway No. 12 (from Jhalawar - Kota -



(i) joining and passing through the Kota city. The traffic volume increases as vehicles from both these highways converge at Kota Old Township. At present there are two bridges on Chambal, one across the old Kota barrage and other nearby less than a kilometer down stream. Possibility of linking these two bridge roads seems remote as old walled city is densely populated. This in fact necessitates developing another bridge to ease out traffic in the Kota Township. The meeting point of NH 76 and NH-12 and the road beyond has very little scope for widening due to dense human settlements on both sides of the existing NH. Though there are a few flyovers under construction in old city but this will have little scope for easing out the traffic volume.

The other two possible alternatives are (i) passing through the upstream side on Jhalawar Road and the other (ii) across downstream Kota-barrage. The team inspected both the possible alignments and observations are as follow:

#### Alignment (1)

The team inspected this alignment across downstream Kota-barrage. This alignment stretch is 10 Km longer than the other by-pass alignment 2. At this alignment team traveled and inspected the proposed site where bridge construction across river Chambal, 8 Km. down to the Kota barrage at Kesora Patan near Gamach village is proposed. The bridge though will not pass through any protected area yet pre-stressed Girder/ Box Type Bridge during construction phase will damage the river ecology substantially. Site inspection on this alignment revealed good bird biodiversity in this section of the Chambal River in spite of heavy use of the river by humans and cattle. Engineering limitations stated in NHAI report is a major factor including risk of release of excess water by four dams down stream during high flood. In addition in social context resettlement, rehabilitation, diversion of agricultural land and disruption of economic livelihood of people are other limiting factors. As informed by NHAI on this alignment would entail total diversion 300 ha - 228 ha agriculture land and 72 ha forest land. The district administrations and people representatives who



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The team emphasized that acquisitions of canal irrigated agriculture land may be difficult in the current socio-political-economic scenario.

### Alignment ( 2 )

The site inspection for the proposed alignment was carried out from Soybean factory to river Chambal falling in the Chambal WLS. The RF of Akelgarh Block along with other forests hold moderately degraded habitat of Acacia - Zizyphus community and as such do not have significant wild fauna. Grazing is a major biotic factor for degradation. However, other threats are human settlement, development and stone mining. The proposed by-pass alignment on its implementation will intersect 902 ha of forest land towards Kota side. Details of these forests are as given below:

S.No.	Name of forest land	Village	Area (ha)
1.	Awali Rojdi	Rojdi	67.20
2.	Foot Talab (u.c.)	Foot Talab	16.00
3.	Lakhawa and Khedagagpur	Anantapur	356.00
4.	Bharkaya	Umedgang	123.20
5.	Akelgarh	Daulatganj & Toyopuria	40.00
		Total	902.00 ha

For joining the by-pass from one end to the other end of NH 76 across the river Chambal and leading to Chittorgarh, NHAI has proposed single span cable-stayed bridge and expressed no disturbance to the river ecosystem with this pre-fabricated bridge. The site selected for the bridge is on rocky gorge area 30 mts. above the water level in the river. Our inspection also revealed that banks are at right angle to the deep gorge having very little hauling out areas available for crocodiles either for basking or nesting. NHAI official's assertion that there will be no disturbance in construction phase is not correct. However, there is possibility of reducing negative impacts through better management and regulations during construction phase.



NHAI further has proposed diversion of 16.589 ha of river bank forests falling in Chambal WLS. This part of the forest is not being used by crocodilian or other aquatic fauna for hauling, basking or nesting purposes as it is 30 m high from the surface of water. Diversion of another 83.414 ha of forest land of Kota Forest Division does not seem to have major impact as this forest is currently degraded and has no significant wildlife population. According to NHAI diversion of agriculture land on this by-pass alignment is 31 ha.

This by-pass alignment has been supported by district administration, State executives and local representatives of people. They feel that this stretch is shorter and would have minimal impact on aquatic fauna. It will not damage productive farm lands and will not impact people's livelihood and involve any displacement. Apprehension has been expressed by some local environmentalists that by-pass alignment will severely impact breeding of gharials. They feel that Gharial can use rocky outcrops for egg laying. Our investigation and discussion with forest department authorities revealed that gharials do inhabit this habitat but they prefer to go on side *nalas* for nesting, wherever such suitable habitats are available. On our survey to Jawahar Sagar Dam we have seen a side *nala* of *Ahu* rivulet. Such rivulet sites are good for gharial breeding rather than rocky outcrops from where cable stayed bridge have been proposed.

Deputy Conservator of Forests (WL), Kota and Conservator of forests, Central Circle has made their recommendations about the proposed alignments which is placed in Annexure. The Conservator of Forests in his report argued that the portion of the Chambal River between Kota barrage and Kesraipatan is better suited to crocodiles, including gharials. This argument does have a strong basis. Kota city by choice can only grow on upstream right bank side of the Chambal River otherwise marooning by flood any time will always be eminent. This need in future is bound to exert pressure on remaining forest lands up river of Kota barrage and also to Chambal WLS.



The Conservator of Forests, Kota has also expressed concerns to wildlife and forest conservation due to fast expansion of Kota township upstream right bank of the Chambal River. Forest depletion on higher reaches can further enhance flood intensity. Therefore, there is a need that no further forest loss should be allowed in higher reaches. The by-pass alignment no. 2 will provide an opportunity to permanently demarcate and fence out the remaining forest areas for the benefit of the society, forests and biodiversity. The CF's report proposes 5% of the by-pass project cost to be earmarked for wildlife and forest conservation as a corpus fund along with other conditions imposed on NHAI.

### Recommendations

From the foregoing it is evident that both the by-pass alignments will have some kind of impact on the Chambal river ecology irrespective of the facts that whether the bridge passes through Chambal Sanctuary area (Alignment No. 2) or a non-Sanctuary area (Alignment No. 1). The diversion of forest areas involved in the case of Alignment No. 2 is 99.993 ha; 16.589 ha from Chambal V/LS and 83.404 ha from Kota Forest Division). The alignment (Alignment No. 1) involves diversion of 72 ha of forest land. However, the alignment no. 1 is not implementable because of technical and socio-economic factors as outlined in the preceding paras. The by-pass Alignment No. 2, up stream to Kota barrage is such a case where opportunities do exist for compensating and consolidating conservation efforts.

In view of the above, the Committee recommends for alignment 2 on upstream of Kota barrage with the following conditions:

1. Cable stayed bridge with channels for collecting surface run-off be provided on either side, so that river is not intruded.
2. Noise barrier be provided on bridge and 400 m on either side of the river Chambal.



3. Stone masonry wall of 2.5 m high along with \_\_\_\_\_ m be provide on either side to act as a barrier between human-settlement and wildlife.
4. No construction workshop be set up up to 2 km of Sanctuary area and wherever possible pre-fabricated structure be erected.
5. No work camp to be sited in the forest area and as disclosed by NHAI fuel should be provided by contractors, so that those laborers do not cut trees.
6. Wherever blasting is essential, it should be controlled and latest method of slow tunnel blasting be followed.
7. Silence Zone be declared well before and after the Sanctuary up to a considerable distance. Adequate sinages be displayed for the purpose.
8. The area falling between Kota-Jhalawar road and Chambal River would be preserved as green belt to the Kota city. Similarly, forest land existing north of the by-pass between Kota-Jhalawar road and Chambal River would also be preserved as green belt to the Kota city.
9. The cost of permanent fencing and developing green belt up to one kilometer of the by-pass road on forest land should be included in the cost of by-pass project apart from the compensatory afforestation and other costs.
10. Cost of permanent fencing along Kota- Rawatbhata road and Kota-Jawahar Sagar road for 5 km each should be included in the project cost to ensure that no encroachments take place.
11. 5% of the project cost be placed at the disposal of State Wildlife Department for wildlife conservation and habitat development.
12. Rapid assessment of status of wildlife from Kota barrage to Jawahar Sagar Dam should undertaken by the Forest Department, Rajasthan in consultation with WII prior to the by-pass construction, during construction phase and after construction phase so that necessary monitoring and timely corrective measures can be adopted. The cost for this should be borne by the NHAI.



The inspection team further recommends additional prerequisite for diversion, which can improve and provide better regime of environmental safeguards. These are:

is, though not the area and

1. The Forest Department Rajasthan must include approximately 1000 ha of the forest land available in Mashalpura block A for inclusion in the Dara Wildlife Sanctuary to enhance its effectiveness for wildlife conservation.
2. The 902 ha forest area as detailed in Alignment no. 2 would pass, should be developed as urban managed area for the purpose of wildlife conservation and environmental education.
3. A monitoring committee to be set up by involving District Collector as Chairman, Forest Department as Convener and members from the local NGOs, NHAI, MoEF, thermal power authorities to look into the various issues during the construction to completion phase so that restorative actions on all matters that can impact and pollute river system can be undertaken timely.

Dr. R. B. Lal  
IGF (WL)  
MoEF, GOI  
New Delhi

P. R. Sinha  
Director  
Wildlife Institute of India  
Dehradun

Dr. Sushant Chowdhury  
Professor  
Wildlife Institute of India  
Dehradun



F.No.8-13/2006-FC  
Government of India  
Ministry of Environment & Forests  
(FC Division)

Paryavaran Bhawan, CGO Complex,  
Lodhi Road, New Delhi-110 003  
Dated: 6<sup>th</sup> July, 2007

To,

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

Sub: Diversion of 111.637 ha of forest land (95.048 ha in Kota Forest Division and 16.589 ha in National Ghariyal Sanctuary) for construction of a bypass to Kota City under National Highway-76 Section of East West Corridor in favour of National Highway Authority of India

Sir,

I am directed to refer to your Letter no. P01 (22) Forest / 2002 dated 19.01.2006 on the above mentioned subject, wherein prior approval of the Central Government for the diversion of 111.637 ha. of forest land (95.048 ha in Kota Forest Division and 16.589 ha in National Ghariyal Sanctuary) for construction of a bypass to Kota City under National Highway-76 Section of East West Corridor in favour of National Highway Authority of India is sought, in accordance with Section 2 of the Forest (Conservation) Act, 1980. The said proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section 3 of the aforesaid Act.

2. After careful consideration of the proposal of the State Government of Rajasthan and on the basis of the recommendations of the Forest Advisory Committee, the Central government hereby agrees in principle for the diversion of 111.637 ha. of forest land (95.048 ha in Kota Forest Division and 16.589 ha in National Ghariyal Sanctuary) for the construction of a bypass to Kota City under National Highway-76 Section of East West Corridor in favour of National Highway Authority of India, subject to the fulfillment of the following conditions.

- I. Compensatory Afforestation shall be raised and maintained over double the degraded forest land, i.e., 223.274 ha (190.096 ha + 33.178 ha) at the cost of the user agency. The cost of Compensatory Afforestation shall be transferred to the State Forest Department by the user agency.
- II. The State Government shall charge the Net Present Value of the forest area diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30.10.2002 and 01.08.2003 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by this Ministry vide letters No. 5-1/1998-FC (Pt. II) dated 18.09.2003, as well as letter No. 5-2/2006-FC dated 03.10.2006 in this regard.
- III. Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
- IV. All the above funds received from the User Agency under the project shall be transferred to in Account No. CA 1581 of Corporation Bank, Block-11, CGO Complex, Phase-I, Lodhi Road, New Delhi-110003.
- V. The mitigative measures recommended by the Standing Committee of NBWL shall be taken up by the User Agency concurrently with the construction of the project. The User Agency shall deposit Rs. 25.72 crores for undertaking the various mitigative measures recommended by the Standing Committee of the NBWL. As per the Hon'ble Supreme Court's order dated 08.12.2006 this amount of Rs. 25.72 crores shall be deposited with the Central Empowered Committee (CEC). The CEC shall keep the amount in a separate bank account and release it to the Rajasthan Forest Department for concurrent implementation of the mitigative measures.
- VI. The finalization and implementation of specific items of works as part of the mitigative measures will be monitored by a Committee consisting of the representatives of the Ministry of Environment and Forests, PCCF, Rajasthan and the CWLW of Rajasthan. The expenditure would be audited by the Accountant General, Rajasthan.
- VII. The User Agency shall provide Cable Stayed Bridge with channels for collecting surface run-off on either side, so that the river is not intruded.



- VIII. The User Agency shall provide a noise barrier on the bridge and 400 m. on either side of the Chambal River.
- IX. Stone masonry wall of 2.5 m high alongwith one meter fence shall be provided on either side to act as a barrier between the human settlement and wildlife.
- X. No construction workshop shall be set up upto 2 kms of sanctuary area, and wherever possible pre-fabricated structures be erected.
- XI. No labour camps shall be situated in the forest area. The User Agency shall provide fuel- wood, preferably alternate fuel to the labourers working at the site to avoid damage/felling of trees.
- XII. Wherever blasting is essential, it shall be controlled and the latest method of slow tunnel blasting be followed.
- XIII. Silence zone shall be declared well before and after the sanctuary upto a considerable distance. Adequate signages be displayed for the purpose.
- XIV. The area falling between Kota-Jhalawar road and Chambal River shall be preserved as a green belt to the Kota city. Similarly, the forest land existing north of the bypass between Kota-Jhalawar road and Chambal River shall also be preserved as a green belt to the Kota city.
- XV. The cost of permanent fencing and developing the green belt upto one kilometer of the bypass road on forest land shall be included in the cost of bypass project apart from the Compensatory Afforestation and other costs.
- XVI. The cost of permanent fencing along the Kota-Rawatbhata road and the Kota Jawahar Sagar road for a distance of 5 kms shall be included in the project cost to ensure that no encroachments take place.
- XVII. Rapid assessment of the status of the wildlife from Kota Barrage to Jawahar Sagar Dam shall be undertaken by the Forest Department, Rajasthan in consultation with the Wildlife Institute of India prior to the construction phase and after the construction phase so that necessary monitoring and timely corrective measures can be adopted. The cost in this regard should be borne by the User Agency.
- XVIII. The Forest Department, Rajasthan shall include approximately 1000 ha of the forest land available in Mashalpur Block-A for inclusion in the Darra Wildlife Sanctuary to enhance its effectiveness for wildlife conservation.
- XIX. The 902 ha forest area as detailed in Alignment No. 2 by-pass, shall be developed as an urban managed area for the purpose of wildlife conservation and environmental education.
- XX. All other conditions stipulated by the State Government of Rajasthan while forwarding the above proposal to the Central Government, and conditions stipulated by the Central Empowered Committee in their recommendations dated 20.11.2006, as approved by the Hon'ble Supreme Court in its Order dated 8.12.2006, in IA No. 1626-1627 in Writ Petition (C) 202 of 1995, shall be adhered to by the User Agency.

3. After receipt of the compliance report on the fulfillment of the above mentioned conditions No.(I) to (XX) of Para 2 above from the State Government, formal approval will be issued 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 orders approving the diversion of forest land are issued by the Central Government.

Yours faithfully

(A.K. Joshi)

Assistant Inspector General of Forests

Copy to:

1. The Principal Chief conservator of Forests, Government of Rajasthan, Jaipur
2. Member Secretary, Central Empowered Committee (CEC), New Delhi
3. The Nodal Officer, Forest Department, Government of Rajasthan, Jaipur
4. The Chief Conservator of Forest, Regional Office, Lucknow.
5. The Regional Office (H. Q.), New Delhi.
6. User Agency i.e National Highway Authority of India.
7. Monitoring Cell, Ministry of Environment and Forests
8. Guard File.

(A.K. Joshi)

Assistant Inspector General of Forests

उप वन सहायक  
कोटा (राज.)



**SITE INSPECTION REPORT OF DCF KOTA**  
**(For the forest land to be diversion under FCA)**

Name of project: - LAND FOR EXTENSION OF BHAMASHAH KRISHI UPAJ MANDI SAMITI

उक्त प्रस्ताव भामाशाह कृषि उपज मण्डी के विस्तार हेतु प्राप्त हुआ। कार्य स्थल निरीक्षण दिनांक 24.01.2018 को करने एवं रिकॉर्ड की जांच करने पर निम्नानुसार तथ्य है।


1. वनखण्ड खेडा जगपुरा के उत्तर में वर्तमान में भामाशाह कृषि उपज मण्डी स्थापित है। उक्त कृषि उपज मण्डी, कोटा संभाग की सबसे बड़ी मण्डी है और भारी मात्रा में कृषि उपज विक्रय हेतु यहां आती है। अत्यधिक मात्रा में कृषि उपज आने पर कृषि उपज मण्डी का स्थल छोटा पड़ता है। आस-पास मण्डी विस्तार हेतु गैर वन भूमि नहीं है। अतः वर्तमान मण्डी के परिसर के दक्षिण में स्थित वनखण्ड खेडा जगपुरा की वनभूमि से कृषि उपज मण्डी विस्तार हेतु 96 हैक्टर वनभूमि के अनारक्षण के प्रस्ताव सचिव कृषि उपज मण्डी द्वारा प्रेषित किये गये हैं।
2. रिकॉर्ड देखने पर ज्ञात हुआ कि वर्तमान में स्थापित कृषि उपज मण्डी के क्षेत्र में पूर्व से ही 22 हैक्टर वनभूमि सम्मिलित है। प्रयोक्ता अभिकरण द्वारा अवगत कराया गया है कि वर्तमान कृषि उपज मण्डी की भूमि रीको द्वारा वर्ष 1991 में आवंटित की गई है जिससे रीको द्वारा दी गई भूमि में 22 हैक्टर वनभूमि भी सम्मिलित है। उक्तानुसार वर्तमान में कृषि उपज मण्डी समिति के क्षेत्र में 22 हैक्टर वनभूमि पर वर्ष 1991 से ही कब्जा है।
3. कृषि उपज मण्डी के विस्तार हेतु वर्तमान में स्थापित कृषि मण्डी के दक्षिण में स्थित वनखण्ड खेडा जगपुरा में अतिरिक्त 74 हैक्टर वनभूमि एवं वर्तमान में काबिज 22 हैक्टर वनभूमि कुल 96 हैक्टर वनभूमि के अनारक्षण के प्रस्ताव प्राप्त हुए हैं।
4. भामाशाह कृषि उपज मण्डी विस्तार हेतु चाही गई वनभूमि के संबंध में यह तथ्य भी ध्यान में लाया जाना आवश्यक है कि भारत सरकार से प्राप्त सैद्धान्तिक स्वीकृति क्रमांक F NO-8-3/2006-FC दिनांक 06.07.2007 जिसके अनुसार NH-76 का कोटा-बाईपास में सैद्धान्तिक स्वीकृति जारी की गई की (प्रति संलग्न) की शर्त संख्या (V) The mitigative measure recommended by the standing committee of NBWL shall be taken up by the User Agency concurrently with the construction of the project. The User Agency shall deposit Rs.25.72 crores for undertaking the various mitigative measures recommended by the standing committee of the NBWL. As per the Hon'ble supreme Court's order dated 08.12.2006 this amount Rs. 25.72 crores shall be deposited with the central Empowered committee (CEC). The CEC shall keep the amount in a separate bank account and release it to the Rajasthan Forest Department for concurrent implementation of the mitigative measures के अनुसार एन.एच. 76 के कोटा बाई पास के 1 किमी परिधि में मिटिगेटिव मेजर्स के अन्तर्गत वनभूमि पर ग्रीन बेल्ट विकसित किया जाना है। उक्त प्रस्तावित वनभूमि उक्त ग्रीन बेल्ट



में आती है परन्तु अभी तक भारत सरकार से आवश्यक बजट प्राप्त नहीं होने से इस क्षेत्र में ग्रीन बेल्ट विकसित नहीं की जा सकी है।

5. उक्त क्षेत्र Sheet Rock वाला क्षेत्र है जिससे मृदा नगण्य है एवं यूक्षारोपण हेतु उपयुक्त नहीं है क्योंकि मृदा नहीं होने एवं Sheet Rocks होने से पौधों के पनपने की संभावना अत्यंत कम है। वर्तमान में इस क्षेत्र में कोई वृक्ष नहीं है मात्र कहीं-कहीं छोटी झाड़ियां हैं।
6. भामाशाह कृषि उपज मण्डी विस्तार हेतु चाही गई वनभूमि वर्तमान कृषि मण्डी से दक्षिण में एन.एच. 76 बाई पास तक चाही गई है जिसके पूर्व में रेलवे लाईन है एवं पश्चिम में वनखण्ड की शेप वनभूमि रहेगी।
7. प्रस्तावित वनभूमि में कोई पुरातत्व महत्व, सैन्य महत्व, संरक्षित स्थल अथवा अन्य महत्वपूर्ण स्थल नहीं है।
8. उक्त क्षेत्र में विलुप्त प्रायः अथवा अन्य महत्वपूर्ण प्रजाति के वनस्पति एवं जीव नहीं पाये जाते हैं।
9. प्रयोक्ता अभिरण द्वारा 22 हैक्टर वनभूमि पर वर्तमान में रीको द्वारा आवंटित वन भूमि पर कब्जा है। अतः उक्तानुसार वन संरक्षण अधिनियम 1980 का उल्लंघन है।
10. प्रयोक्ता अभिकरण के पत्रानुसार उनके द्वारा चाही गई वनभूमि न्यूनतम है तथा नजदीक के गैर वनभूमि को इस कार्य हेतु लिए जाने का विकल्प नहीं है।
11. उक्त क्षेत्र Sheet Rock होने एवं मृदा विहिन होने से ग्रीन बेल्ट विकसित किये जाना अत्यंत मुश्किल है।

अतः एन.एच. 76 के कोटा बाईपास के दोनों ओर ग्रीन बेल्ट विकसित किये जाने हेतु भारत सरकार की पूर्व सैद्धान्तिक स्वीकृति क्रमांक F NO-8-3/2006-FC दिनांक 06.07.2007 के क्रम में आवश्यक संशोधित स्वीकृति प्राप्त होने पर उक्त वनभूमि प्रत्यावर्तन किया जाना उचित होगा।

  
(एल.एस.राणावत)  
उप वन संरक्षक  
कोटा



## कार्यालय संभागीय मुख्य वन संरक्षक कोटा

Add: Near Chamber Rest House, Kishortwara Kotah-324009 E-Mail:- [csd@dn.kotah@gmail.com](mailto:csd@dn.kotah@gmail.com) Tel. No. 0744-2579194  
क्रमांक : एफ ( ) परिवान/समुवस/2017-18/

दिनांक :-

प्रधान मुख्य वन संरक्षक  
राजस्थान जयपुर

विषय:- भामाशाह कृषि उपज मंडी (अनाज) कोटा के विस्तार हेतु वन विभाग से भूमि आवंटन कराने के संबंध में।

प्रसंग:- प्रधान मुख्य वन संरक्षक राजस्थान जयपुर का पत्र क्रमांक एफ14 (सीएम-संदर्भ) 2016/वसु/प्रमुवस/2989-92 दिनांक 12.01.2018।

महोदय,

विषयान्तर्गत निवेदन है कि सी.एम.आई.एस. पोर्टल के क्रम संख्या 15 पर अंकित प्रकरण जो भामाशाह कृषि उपज मंडी (अनाज) कोटा के विस्तार हेतु वन भूमि आवंटन से संबंधित है के संबंध में वस्तुस्थिति निम्नानुसार है:-

प्रयोक्ता अभिकरण भामाशाह कृषि उपज मण्डी समिति कोटा ने मण्डी के विस्तार हेतु पूर्व में 74 हैक्टर वनभूमि प्रत्यावर्तन के प्रस्ताव प्रस्तुत किये गये थे। उप वन संरक्षक कोटा द्वारा प्रस्तावित साईट का मौका निरीक्षण करने एवं रिकॉर्ड देखने पर पाया गया कि, वर्तमान में स्थापित कृषि उपज मण्डी में 22 हैक्टर वनभूमि पूर्व से ही बिना वैधानिक स्वीकृति के सम्मिलित है, जो अतिक्रमण की संज्ञा में आता है। प्रयोक्ता अभिकरण को पुनः उप वन संरक्षक कोटा द्वारा वर्तमान में क्रियाशील कृषि उपज मण्डी में अतिक्रमित वनभूमि के संबंध में स्थिति स्पष्ट किये जाने हेतु दिनांक 14.08.2017 को EDS जारी किया गया। तदुपरांत प्रयोक्ता अभिकरण भामाशाह कृषि उपज मण्डी समिति द्वारा उनके अवैध कब्जे में चल रही 22 हैक्टर वनभूमि को 74 हैक्टर के प्रस्तावित विस्तार में सम्मिलित करते हुये कुल 96 हैक्टर वनभूमि प्रत्यावर्तन के प्रस्ताव प्रस्तुत किये गये।

अतः कृषि उपज मण्डी समिति कोटा द्वारा एन.एच.-76 बाईपास तक विस्तार हेतु कुल संशोधित 96 हैक्टर वनभूमि (भामाशाह मण्डी के प्रस्ताव) का आवेदन दिनांक 20.04.2018 को किया गया। उप वन संरक्षक कोटा द्वारा पूर्व वर्षों में कोटा बाईपास के प्रत्यावर्तन में अंकित शर्तों की पालना में मेटिगेटिव मेजर्स के अन्तर्गत 4000 पौधे लगाये गये हैं यह पौधे आवेदित क्षेत्र में नहीं लगाये गये हैं। इस क्षेत्र का उप वन संरक्षक कोटा द्वारा स्थल का निरीक्षण कर निरीक्षण रिपोर्ट में यह स्पष्ट अंकित किया है कि आवेदित स्थल एन.एच. 76 कोटा बाईपास के निर्माण हेतु एफ.सी.ए. में जारी सैद्धान्तिक स्वीकृति के अन्तर्गत माननीय सर्वोच्च न्यायालय के निर्देशों के क्रम में अधिसूचित शर्तों के अनुसार ग्रीन बेल्ट के रूप में विकसित किया जाना है। अतः माननीय सर्वोच्च न्यायालय के निर्देशानुसार भारत सरकार द्वारा जारी सैद्धान्तिक स्वीकृति क्रमांक F.NO-8-13/2006-FC दि० 06.07.07



में अंकित ग्रीन बेल्ट की शर्त को संशोधित कराये जाने की कार्यवाही करने पर ही उक्त प्रस्तावित वनक्षेत्र पर विचार किया जाना उचित होगा।

इस क्षेत्र की वस्तुस्थिति के बारे में पुनः निवेदन है कि मौके पर पूर्व वर्षों में रीको द्वारा 47 हेक्टर वनक्षेत्र में अतिक्रमण किये जाने पर उप वन संरक्षक कोटा को कार्यवाही किये जाने के निर्देश इस कार्यालय द्वारा दिये गये हैं। इस संबंध में उप वन संरक्षक कोटा ने अवगत कराया कि क्षेत्रीय वन अधिकारी, लाडपुरा से अतिक्रमण के संबंध में जानकारी चाही जाने पर क्षेत्रीय लाडपुरा द्वारा पत्रांक 1691 दिनांक 23.03.2018 से अवगत कराया गया कि, उक्त वन भूमि पर अतिक्रमण के संबंध में तत्समय क्षेत्रीय वन अधिकारी लाडपुरा द्वारा रिको कोटा के विरुद्ध विभागीय एफ.आई.आर. 56-09 दिनांक 19.09.1996 दर्ज की गई थी। इस एफ.आई.आर. में रिको कोटा के विरुद्ध आगे कोई कार्यवाही नहीं की गई है।

इस प्रकार माननीय सर्वोच्च न्यायालय के निर्देशानुसार भारत सरकार से पूर्व में जारी एन0एच0 76 कोटा बाई पास की सैद्धान्तिक स्वीकृति के निर्माण हेतु अधिरोपित की गई ग्रीन बेल्ट विकसित करने की शर्त में यह आंगटित वन भूमि शामिल होने के कारण शर्त की पालना नहीं हो पायेगी की स्थिति को ध्यान में लाकर संसोधन होने पर ही कृषि उपज मण्डी कोटा के विस्तार हेतु उपरोक्त 96 हेक्टर वनभूमि प्रत्यावर्तित किये जाने हेतु प्रस्ताव पर अग्रिम अथवा साथ-साथ कार्यवाही करना उचित होगा।

भवदीय

(अनिल कुमार कपूर)

संभागीय मुख्य वन संरक्षक  
कोटा

क्रमांक : एफ ( ) परिवाद/समुवस/2017-18/3931-32

दिनांक : 17-5-2018

1. प्रतिलिपि उप वन संरक्षक कोटा को उनके पत्र क्रमांक एफ ( ) परिवाद/उवस/2017/1556 दिनांक 14.02.2018 के क्रम में सूचनार्थ एवं आवश्यक कार्यवाही हेतु पृच्छाकृत है।

2. प्रतिलिपि सचिव कृषि उपज मण्डी समिति कोटा को उनके पत्र दिनांक 20.04.2018 के क्रम में पृच्छाकृत कर लेख है कि आप द्वारा आवेदित वन क्षेत्र माननीय सर्वोच्च न्यायालय द्वारा ग्रीन बेल्ट बनवाने की अधिरोपित शर्त के लिए आरक्षित होने के क्रम में आपके स्तर से उसमें शिथिलता संशोधन हेतु शीघ्र कार्यवाही/प्रयास करावें ताकि भामाशाह मण्डी कोटा के विस्तार हेतु वनभूमि प्रत्यावर्तन करने की कार्यवाही में गति लाई जा सके।


215  
2415/18

(अनिल कुमार कपूर)  
संभागीय मुख्य वन संरक्षक  
कोटा



तथ्यात्मक प्रतिवेदन  
प्रस्तावित ग्रीन बेल्ट शिफ्ट करने बाबत।

एन0एच0-76 सेक्शन ऑफ ईस्ट वेस्ट कोरिडोर के निर्माण हेतु कोटा जिले की 111.637 हैक्टर वनभूमि का प्रत्यावर्तन भारत सरकार पर्यावरण एवं वन मंत्रालय एफ0सी0डिबीजन नई दिल्ली के पत्रांक F.No.8-3/2006-FC Date 06.07.2007 के द्वारा किया गया था। उक्त स्वीकृति में अधिरोपित शर्त संख्या 5 के अनुसार माननीय सर्वोच्च न्यायालय के आदेश की पालना में कोटा बाई पास के दोनों तरफ हरित पट्टी विकसित करने हेतु वृक्षारोपण किया जाना था। चूंकि ग्रीन बेल्ट विकास हेतु निर्देशित स्थल पथरीला व चट्टानी होने से वृक्षारोपण किया जाना संभव नहीं हो पाया। अब ग्रीन बेल्ट हेतु प्रस्तावित इसी क्षेत्र में कृषि उपज मण्डी के विस्तार हेतु वनभूमि का प्रत्यावर्तन प्रस्तावित किया गया जिस हेतु कृषि उपज मण्डी समिति (अनाज) कोटा के पत्रांक 3788 दिनांक 19.12.2022 एवं उप वन संरक्षक कोटा के पत्रांक 11555 दिनांक 20.12.2022 के क्रम में सुप्रीम कोर्ट द्वारा प्रस्तावित ग्रीन बेल्ट विकास स्थल के स्थान पर कोटा बाईपास के दक्षिण में 1 कि0मी0 से अधिक दूरी पर ढाडदेवी वनक्षेत्र में ग्रीन बेल्ट विकसित किया जा सकता है। जिससे अधोहस्ताक्षकर्ता सहमत है।

  
(महेश चन्द गुप्ता)  
संभागीय मुख्य वन संरक्षक  
कोटा



राजस्थान सरकार  
वन विभाग

कार्यालय उप वन संरक्षक, कोटा  
(Nayapura, Civil Lines Kota Email ID-dcf.kota.forest@rajasthan.gov.in)  
दिनांक: २०.१२.२२

क्रमांक-एफ (उपसं/तक./ 2022-23 / 11555)

विभाग-  
संगीत-मुख्य वन संरक्षक  
कोटा

विषय :-  
संदर्भ :-  
प्रस्तावित भूमि को ग्रीन बेल्ट से हटाकर अन्यत्र हस्तान्तरित करने के क्रम में।  
भामाशाह कृषि उपज मण्डी समिति के पत्रांक 3788 दिनांक 19.12.2022

महोदय,

उपरोक्त विषयान्तर्गत संदर्भित पत्र के क्रम में निवेदन है कि सी.ई.सी. द्वारा ग्रीन बेल्ट हेतु चयनित स्थल के स्थान पर कोटा बाईपास के दक्षिण में 1 कि.मी. से अधिक दूरी पर डाइवेवी वन क्षेत्र में ग्रीन बेल्ट 96 हे० विकसित किया जा सकता है।

अतः प्रस्ताव आवश्यक कार्यवाही हेतु प्रेषित है।

संलग्न:-उपरोक्तानुसार

भवदीय

उप वन संरक्षक  
०/८ कोटा  
दिनांक: 20.12.22

क्रमांक-एफ (उपसं/तक./ 2022-23 / 11556)  
प्रतिलिपि:- प्रधान मुख्य वन संरक्षक अरण्य भवन जालाना जयपुर।

उप वन संरक्षक  
०/८ कोटा



**Full title of the project- land for extension of bhamasah krashi upaj mandi samite rajasthan.**  
File no. FP/RJ/Others/20036/2016

**Check list serial number-16**


Site inspection report by an officer not below the rank of DCF/DFO

(for the forest land to be diverted under FCA)

1. A proposal has been received by this office from secretary bhamashah krishi upaj mandi for diversion (under FCA 1980) of 96.0 ha of forest land for non forestry purpose. The subject envisages the use of forest land for Mandi yard. The site inspection of the land involved in the proposal has been done by me on 30-01-2023. On inspection of the site, it is found that the land required by the UA is a reserved forest land measuring 96.0 ha. The requirement of forest land as proposed by the UA in col. 2 of part-1 is unavoidable and is barest minimum required for the project.
2. whether any rare/ endangered/ unique species of flora and fauna found in the area? If so, the detail thereof; - No
3. whether any protected archaeological/heritage site/defense establishment or any other important monument is located in the area if so, the details thereof with NOC from competent authority, if required -NO
  - a) The UA has not violated the provision of the FCA 1980 and no work has started without proper sanction OR VIOLATED
  - b) it has been found that the UA has violation is attached**  
(Note- Whichever of the above is applicable should be shown in bold latter's)
4. Specific recommendations of acceptance or otherwise of the proposal -YES may be Diverted with following conditions
  1. Also, on the site forest department has constructed 3.314 km wall ( as per ranger report ) for plantation purpose. This wall will go to BHAMASHAH KRISHI UPAJ MANDI. So, this cost must be recovered from the user agency.
  2. Exemption permission of green belt plantation from extension of 1 km to NH-76
  3. Wood shall not be used for any purpose by main power engaged in project work. The user agency will provide alternative fuel for domestic use to staff and labour.
  4. Transportation of material should be carried out during the day hour only on existing road only.
  5. Appropriate mitigation measures shall have to be taken up to avoid pollution of the nearby areas in consultation with the competent authority. The user agency shall be responsible for any illicit green filling in the surrounding of the project site.
  6. The labourers engaged in the work shall not be allowed to use plastic around the project site.
  7. Project proponent should supply water to nearby forest plantation which is being carried out by the department.

Place- kota

Date- 30-01-2023

(Signature)   
Name- Jai Ram Pandey  
Designation - Deputy conservator of forest  
Office seal.....



# 39 Postal Receipts

GSTIN : SA CODE 996812 TRACK @ www.tpcglobe.com E-mail : jprro-crm@tpcglobe.co.in

 <b>THE PROFESSIONAL COURIERS</b> PROFESSIONAL COURIERS NETWORK LTD. <small>G-1, Ground Floor, Roshan Tower, Purohit Ji Ka Bagh, Gopinath Marg, M. I. Road, Jaipur -302001 Tel.: 0141-4917891/2/3/4 GSTIN : 08AAECP1918R1ZV</small>		JPR	Dest. :	
		5	AIRWAY BILL No. <b>JPR502918553</b>	
Sender's Name : <b>Dr mahendrag smsh</b> Tel. / Mobile : GST TIN :		Recipient's Name : <b>The Ad. PCCF Jhalanag 2P12</b> Tel. / Mobile :		
		<b>CREDIT / CASH</b> Dt : <b>16/1/25</b> PCS : KG. :      GMS. Courier Charges : <b>401</b> CGST SGST IGST Total :		
CONTENTS	DECLARED VALUE	VOLUMETRIC WEIGHT	ACTUAL WEIGHT	MODE
	Rs.	Lx Wx H = 5000	KG	AIR SF
<small>I/We declare that this consignment does not contain personal mail, cash, jewellery, contraband, illegal drugs, any prohibited items and commodities which can cause safety hazards while transported by air and Surface.</small> <small>This is a Non Negotiable Consignment Note, Subject to standard conditions of carriag. Carrier's liability limited to Rs. 200/- per consignment for any cause. P.T.O for terms and conditions of carriage</small> SENDER'S SIGN :		RECEIVED IN GOOD CONDITION Sign & Seal..... Name : Relation : Mobile No : I.D. No :		For PROFESSIONAL COURIERS NETWORK LTD. FRANCHISE CODE

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		5	AIRWAY BILL No. <b>JPR502918554</b>	
Sender's Name : <b>Dr mahendrag</b> Tel. / Mobile : GST TIN :		Recipient's Name : <b>The. prapya secretary</b> Tel. / Mobile :		
		<b>CREDIT / CASH</b> Dt : <b>16/1/25</b> PCS : KG. :      GMS. Courier Charges : <b>401</b> CGST SGST IGST Total :		
CONTENTS	DECLARED VALUE	VOLUMETRIC WEIGHT	ACTUAL WEIGHT	MODE
	Rs.	Lx Wx H = 5000	KG	AIR SF
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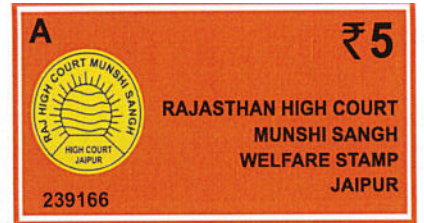
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GSTIN : SA CODE 996812 TRACK @ www.tpcglobe.com E-mail : jprro-crm@tpcglobe.co.in

 <b>THE PROFESSIONAL COURIERS</b> PROFESSIONAL COURIERS NETWORK LTD. <small>G-1, Ground Floor, Roshan Tower, Purohit Ji Ka Bagh, Gopinath Marg, M. I. Road, Jaipur -302001 Tel.: 0141-4917891/2/3/4 GSTIN : 08AAECP1918R1ZV</small>		JPR	Dest. :	
		5	AIRWAY BILL No. <b>JPR502918555</b>	
Sender's Name : <b>Dr. mahendrag</b> Tel. / Mobile : <b>312</b> GST TIN :		Recipient's Name : <b>The secretary 10 dhya Road DELHI</b> Tel. / Mobile :		
		<b>CREDIT / CASH</b> Dt : <b>16/1/25</b> PCS : KG. :      GMS. Courier Charges : <b>701</b> CGST SGST IGST Total :		
CONTENTS	DECLARED VALUE	VOLUMETRIC WEIGHT	ACTUAL WEIGHT	MODE
	Rs.	Lx Wx H = 5000	KG	AIR SF
<small>I/We declare that this consignment does not contain personal mail, cash, jewellery, contraband, illegal drugs, any prohibited items and commodities which can cause safety hazards while transported by air and Surface.</small> <small>This is a Non Negotiable Consignment Note, Subject to standard conditions of carriag. Carrier's liability limited to Rs. 200/- per consignment for any cause. P.T.O for terms and conditions of carriage</small> SENDER'S SIGN :		RECEIVED IN GOOD CONDITION Sign & Seal..... Name : Relation : Mobile No : I.D. No :		For PROFESSIONAL COURIERS NETWORK LTD. FRANCHISE CODE

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In the Before the Central Empowered Committee New Delhi  
Case Application No. 12025 200  
Krishi Upaj Mandi Samiti (Grains) Kota

**VERSUS**

Secretary MOEF & CC & Others

KNOW ALL MEN by these presents that I/we the undersigned Manoj Kumar Meena S/o Jagdish  
Rasad Meena, aged about 42 years, working as Secretary, Krishi  
Upaj Mandi Samiti (Grains) Kota Rajasthan

in the above case do hereby make, constitute and appoint

Shri Dr. Mahendra Singh Kachhawa Advocate Lokendra Singh  
Kachhawa

my/our true and lawful attorneys, for me/us in my/our name, and on my/our behalf to appear plead and act in the said case, and more particularly to draw, make, present, withdraw, amend, represent and verify petition, plaints or written statements and to make, present applications or petitions in the court, to present, withdraw and receive documents and any money from the Court or from the opposite party either in execution of the decree or otherwise, and on receipt of payment thereof to sign and deliver for me/us proper receipts and discharges for the same, to compromise or to refer the case to arbitration, to seek execution of the decree or any orders in the case, to draw, make present, withdraw, amend and represent any memorandum of appeal or cross objections in any appeal arising or to seek reviews or revision of any judgement, decree or order in the case, to appear, conduct and plead in all such writ / appeals / revisions and reviews, and to do all other lawful acts and things as effectually as I/we could do the same whether being personally present or otherwise, My/our said counsel is/are also hereby authorised and empowered to instruct, engage or appoint any other counsel or counsels to appear, plead and act with or for him/them in his/their absence or otherwise as my/our said counsel may think proper to do so, all acts of such counsel or counsels shall be equally and similarly binding on me/us as if done by my/our said counsel and as if done by me/us personally.

I / we hereby agree that if any part of the said counsel's fee remains unpaid before the first hearing of the case, or if any hearing of the case be fixed on tour or at any other place except the usual court premises, then my / our said counsel will not be bound to appear before the court. The counsel's fee now settled and agreed to is in respect of this Court and for the pending proceedings only. Any fresh action hereafter taken will entitle the counsel to fresh fees. I / We also agree that if the case be dismissed in default or if it be proceeded ex-parte under any circumstances whatsoever the said counsel shall not be held responsible for the same and all whatsoever my/our said counsel shall do in connection with the said case, I/we do hereby agree to ratify and confirm. Any costs awarded in the case at any time in my/our favour shall form part of the counsel's claim and shall be payable to him/them in addition to his/their fees in the case.

IN WITNESS WHERE OF I/we have here to set my/our hand (s) at \_\_\_\_\_

this \_\_\_\_\_ days of \_\_\_\_\_ and delivered to the said counsel (s)

**Accepted**

CDR. M. S. KACHHAWA ADV.  
R1301/1990  
Mob. 9414044336  
Lokendra  
R185113

1.

Manoj  
सचिव  
कृषि उपज मण्डी समिति (अनाज)  
विशिष्ट श्रेणी, कोटा

2.

3.

4.