

## कार्यालय मुख्य वन संरक्षक, भरतपुर

क्रमांक एफ ( ) 2021-22/एफसीए/मुवसभ/  
निमित्त,

2643

दिनांक 14-6-2023

अति. प्रधान मुख्य वन संरक्षक,  
प्रोटेक्शन एवं नोडल अधिकारी,  
एफ.सी.ए., राजस्थान, जयपुर।

विषय:- Diversion of 248.5515 ha. of Forest land in favour of DMG, Rajasthan in Block A and B Paharpur Tehsil – Roopwas, Dist.- Bharatpur for mining and generation of employment and earning of revenue for Government in Bharatpur District in the State of Rajasthan. Online Proposal No. FP/RJ/MIN/149012/2021

संदर्भ- उप वन संरक्षक, भरतपुर का पत्रांक 7536 दिनांक 06.06.2023

महोदय,

उपरोक्त विषयान्तर्गत निवेदन है कि आलौच्य वन भूमि प्रत्यावर्तन प्रकरण में भारत सरकार के पत्र दिनांक 19 मई, 2023 से प्राप्त आक्षेपों की उप वन संरक्षक, भरतपुर द्वारा संदर्भित पत्र से निम्नानुसार पूर्ति कर प्रस्ताव इस कार्यालय को प्रेषित किया है :-

S.No.	Observations	Compliance
1.	The proposal has now been revised from 248.5515 ha. to 189.2515 ha. excluding the total forest area of 59.30 ha area i.e. 15.30 ha forest land which falling in the EcoSensitive Zone of Bandh-Baretha WLS and 44 ha lease area due to some stay order. However, the details of the court case and the copy of the Stay Order have not been provided. A detailed report in this regard shall be submitted.	User Agency submitted the details of the case related to 44 Ha land which is related to old mining lease issued by Mines Department and the case is pending in hon. High Court, Jaipur and ordered to maintain the Status Qua in its injunction Order on 03.12.2004 in the S.B.Civil Writ Petition No/8028/2004 order is still prevalent and in the same case Hon. High Court, Jaipur issued the ordered again for early listing the case for hearing on 28.01.2022. Copies of these orders are annexed – 1A&1B.
2.	The State Government shall also inform whether the area of 44 ha. deleted from the diversion proposal due to stay order is required for non-forestry use by the user agency in future. KML file for the areas of 15.30 ha and 44 ha. proposed to be deleted from the original diversion proposal shall also be furnished.	User Agency does not mention any requirement of 44Ha in future consideration for the non-forestry use and it uploaded the KML file after the deletion of areas of 15.30Ha and 44 Ha in PARIVESH Portal.
3.	Additional Compensatory Afforestation (CA) sites have now been proposed and the CA area earlier proposed on DFL have been deleted. The CA Scheme uploaded on PARIVESH portal mentions that the area now proposed for Compensatory Afforestation (CA) are not a part of any land bank. Whereas, it has been mentioned by the DCF in his SIR that the CA area proposed is part of the area handed over to forest department for future diversion proposals. The State Govt. shall therefore clearly specify the legal status of the areas proposed	The sites proposed for the CA are not a part of Land Bank. The legal status of the land proposed for the CA is Protected Forest(5094.33Ha) and it was declared by the notification Pa.2(3) Van/2008 dated 13.11.2009 and Pa.2(30) Van/2008 dated 13.11.2009. The area of this land was allotted by Government order d on 08.02.2008 and this area is being used for mining in lieu of

Signature valid

Digitally signed by Kanchan Palanisamy in lieu of  
Designation : Chief Conservator Of  
Forest  
Date: 2023.06.14 18:45:06 IST  
Reason: Approved

RajKaj Ref No. : 4051526





S.No.	Observations	Compliance
	Compensatory Afforestation. In case, CA area is a part of some land bank, the detail of the proposal wise area utilized for CA so far and the balance area shall also be provided.	future forest land diversion cases. The same land was declared as Protected Forest in the vide notification dated 13.11.2009. Copies of the Government allotment order and Notification are annexed in DCF, Bharatpur compliance report. It is also to be considered the same part of the land (398 Ha) was already approved for CA works in an another diversion case FP/RJ/MIN/125714/2021 approved under FCA on 22.03.2021. Hence, it is recommended that the remaining area of the forest land in the similar manner for the CA may be considered in the in this diversion case.
4.	The detailed CA scheme along with the site suitability certificate for CA land has not been provided. In this regard the CA scheme duly giving the details of number of patches, patch wise area, legal status of the land with documentary evidence and other requisite details along with site suitability certificate is required to be submitted.	The detailed CA scheme is attached in the DCF, Bharatpur Compliance Report. The land suitability certificate also provided in his report. <ol style="list-style-type: none"> <li>1. Number of patches of CA-2</li> <li>2. Area of Patch 1-156 Ha( Deeg Range)</li> <li>3. Area of Patch 2- 808 Ha ( Kama Range)</li> <li>4. Legal Status of Patch 1 and 2- Protected Forest (Notifications are attached in DCF, Bharatpur Report)</li> <li>5. Suitability Certificate- Attached.</li> </ol>
5	Some non-forestry activities like Mining have been observed in the proposed CA patches, which needs clarification.	Previously these Revenue Land were under the control of Revenue Department and affected by mining activities in the past and Government decided to stop the mining activities and transferred to Forest Department and the mining activities are stopped and the proposed area is not having any mining activities as mentioned in DCF, Bharatpur Report.
6	The State shall ensure that the areas proposed for Compensatory Afforestation are free from all encumbrances and a certificate to this effect shall be submitted.	User Agency submitted the certificate on land which is free from all encumbrance and the same is mentioned in DCF, Bharatpur Report. (Copy Attached)
7	Based on the observation vide point (iv) in Ministry's letter of even no. dated 24.08.2022, the State Govt. has now uploaded the KML file of Safety zone on PARIVESH portal and analysis of the same through GIS-DSS tool revealed that the safety zone has not been proposed all around the Mining lease. This needs clarification.	User agency replied that the safety zone is not proposed in the area falling in between the mining zones previously approved diversion land adjacent to this diversion and attached the map concerned. (Copy Attached)
8	It is observed in the revised Mining plan that the non-site specific activities like Top soil Dump (4.0 ha.), Dumps (7.50 ha.), Infrastructure (2.50 ha.) are proposed	User Agency replied and did not mention the area identification required for the different activities and the number of structures or piece Digitally signed by Kathirsel Palanisamy Designation : Chief Conservator Of Forest Date: 2023.06.14 18:45:06 IST Reason: Approved

RajKaj Ref No. : 4051526





S.No.	Observations	Compliance
	to be carried out in forest land. The State shall explore and carry out the non-site specific activities on non-forest land.	of land for the different activities. (Copy Attached)
9	In addition, 3.3049 ha. forest area in the mining plan is shown as area not to be utilized. in case the area is not to be utilized, there seems to be no justification for including the same in diversion proposal.	User agency replied that 3.3049 Ha is also having sandstone mineral and this plan for only five years and the next five year plan this area will be included. (Copy Attached)
10	30 ha forest land has been designated for Green Belt in the mining plan. However, its location within the mining lease is not provided. Moreover, the purpose-wise and component-wise Geo-reference/KML file including proposed Green Belt is not submitted. Therefore, the component-wise layout of the area proposed for diversion along with the KML file shall be uploaded on PARIVESH Portal.	User Agency replied in the EDS that the Green Belt is part of forest land and outside forest land. The different places mentioned for Green Belt and the location of those places in th KML file did not prepared and the KML file is also not prepared component wise and purpose wise. (Copy Attached).

अतः उक्तानुसार आक्षेप पूर्ति उपरान्त प्रस्ताव अग्रिम कार्यवाही हेतु प्रेषित है।

संलग्न :- उपरोक्तानुसार।

भवदीय

( पी. कथिरवेल )  
मुख्य वन संरक्षक,  
भरतपुर

**Signature valid**

Digitally signed by Kaminisel Palanisamy  
Designation : Chief Conservator Of  
Forest  
Date: 2023.06.14 18:45:06 IST  
Reason: Approved

RajKaj Ref No. : 4051526

