

कार्यालय मुख्य वन संरक्षक, भरतपुर

क्रमांक एफ () 2021-22/एफसीए/मुकराम/ 2695

दिनांक 21.06.2023

निमित्त,

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 7848 दिनांक 20.06.2023

महोदय,

उपरोक्त विषयान्तर्गत निवेदन है कि आलीच्य वन भूमि प्रत्यावर्तन प्रकरण में कार्यालय प्रधान मुख्य वन संरक्षक राजस्थान, जयपुर के पत्र 8415 - 18 दिनांक 16.06.2023 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 user agency has not submitted factual report and documents about 44 ha lease area that is pending in hon'ble high court. 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(Copy Annexed) 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 10.03.2022. 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 or will be used in future. A detailed report in this regard shall be submitted.	User Agency mentioned that After Disposal of pending case SBCWP No. 8028/2004 in Hon. High Court, Jaipur ,Diversion process will be started for 44 Ha Land.
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 for Compensatory Afforestation. In case, CA area is a part of	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 background of this land was allotted by order men the land is given in lieu of The same

Signature Not Verified

Digitally signed by Kathirvel Ralanisamy
Designation: Chief Conservator Of Forest

Date: 2023.06.21 11:06:32 IST

Reason: Approved

RajKaj Ref No. : 4096622



S.No.	Observations	Compliance
	of some land bank, the detail of the proposal wise area utilized for CA so far and the balance area shall also be provided.	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 provided in two patches while It is shown in 4 patches in Part I. In this regard Comments from CCF is to be submitted.	The detailed CA scheme is attached in the DCF, Bharatpur Compliance Report. The land suitability certificate also provided in his report. Number of patches of CA-4 is shown in part I and 4 maps are attached.
5	Some non-forestry activities like Mining have been observed in the proposed CA patches, which needs clarification from DCF Bharatpur.	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. Action is taken by DCF Bharatpur.	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. Safety Zone in Old Mining pits and New mining pits should be marked by different colors on map. Attach new map.	User agency submitted that Safety Zone in Old Mining pits and New mining pits is marked by different colors on map. attached the new map concerned. (Copy Attached) Anneexure -I
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 to be carried out in forest land. The State shall explore and carry out the non-site specific activities on non-forest land. In project site specific activities and non site specific activities should be shown differently and in	User Agency replied that after diversion of proposed area E auction will be done and site/mining plan for site specific and non site specific activities will be approved for each lease. (Copy Attached) Anneexure -I Page up, 30 and 35 of Mining Plan Copy

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	such way site plan should be amended.	
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. Mining plan is ammended as utilized area. (Copy Attached) Anneexure -I Page no. 35 of Mining Plan
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 having area 10.8443 Ha and outside forest land having area 19.1557 Ha. Anneexure -I Page no. 24,25 and 35 of Mining Plan Copy (Copy Attached) The kml file for forest land having area 10.8443 Ha as part of green belt is attatched. Anneexure -I

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

संलग्न :- उपरोक्तानुसार।

भवदीय

(पी. कथिरवेल)
मुख्य वन संरक्षक,
भरतपुर

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