

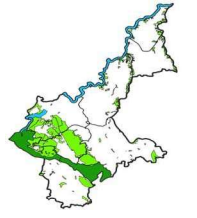


राजस्थान सरकार

वन विभाग

कार्यालय उप वन संरक्षक, कोटा

(सिविलि लाईन्स, नयापुरा कोटा ई-मेल—dcf.kota.forest@rajasthan.gov.in)



क्रमांक:—एफ ()उवसं/तक./2024/4868

दिनांक: 22.09.2024

निमित्त:—

मुख्य वन संरक्षक

कोटा।

विषय:— भामाशाह कृषि उपज मंडी विस्तार वन भूमि प्रत्यावर्तन प्रकरण मे वन, पर्यावरण एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा जारी EDS दिनांक 19.06.2023 बाबत।

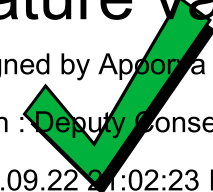
महोदय,

उपरोक्त विषयान्तर्गत भामाशाह कृषि उपज मंडी विस्तार वन भूमि प्रत्यावर्तन प्रकरण मे वन, पर्यावरण एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार द्वारा जारी EDS दिनांक 19.06.2023 का बिन्दुवार प्रतिउत्तर निम्नानुसार प्रेषित है:—

1	The proposed diversion of forest land is for a non-site specific project. As per DSS analysis, it is noticed that non-forest land is available near the proposed forest land for diversion. A copy of the Map is enclosed for ready reference. Therefore, the State Govt. shall submit justification for not locating the project in non-forest areas and explore the available non-forest land for the project.	The proposal pertains to the extension of already existing Bhamashah Krishi Upaj Mandi situated adjacent to the proposed diversion site. The combined land parcel of existing krishi mandi and the proposed diversion site is surrounded by Indraprastha Industrial area towards North, Railway line towards East, NH76 towards South-East side and Forest Land towards South West. Therefore, the proposal is site-specific.
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2	In the recommendations of the Nodal Officer and the State Government, it has been mentioned that the proposal may be accepted for approval subject to the condition that the Hon'ble Supreme Court has given direction in the FCA proposal Development of NH 76 East West Corridor in Kota District (Final sanctioned on 6.7.2007) to maintain green belt on both the sides of the Kota bypass up to 1 km. In this regard an unconditional recommendation is required from the State Government.	The proposal regarding non-suitability of the proposed diversion land with regard to plantation and shifting of mandated green belt towards dadhdevi forest area has been sent by DFO Kota as well as recommended by CCF Kota. Factual Report by CCF Kota uploaded on Parivesh portal.
3	The State Government shall clarify as to how the Govt. of India can relax the condition imposed by the Hon'ble Court order dated 08.12.2006. The clarification along with the certified copies of the CEC recommendation dated 30.11.2006, Hon'ble Supreme Court Order dated 08.12.2006 and all other relevant details pertaining to the project shall be furnished.	The proposal regarding non-suitability of the proposed diversion land with regard to plantation and shifting of mandated green belt towards dadhdevi forest area has been sent by DFO Kota as well as recommended by CCF Kota. Factual Report by CCF Kota uploaded on Parivesh portal.
4	The detail of existing area of Krishi Upaj Mandi along with legal status of the said 8-18/2023-FC I/46193/2023 land is not available which shall be furnished.	According to the reply submitted by User Agency, The existing area of Krishi Upaj Mandi was allotted by RIICO in Indraprastha Industrial Area Kota.
5	The State Govt. shall provide a NOC from National Highway Authority of India (NHAI) for the area of NHAI proposed to be utilized in the instant proposal.	Complied by User Agency

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6	<p>The State Government shall clarify as to why the conditions stipulated in FC approval letter No.8-13/2006-FC dated 06.07.2007 have not been complied even after completion of more than 15 years. It shall also confirm whether any request for modification in stipulated conditions in the approval dated 06.07.2007 was made earlier to Central Govt., if so, the details in this regard shall be provided. If not, then the justification for informing at this belated stage that the land is not suitable for plantation/green belt development shall be submitted. The person/official responsible for not complying with the direction of Hon'ble Court shall also be furnished</p>	<p>The proposal regarding non-suitability of the proposed diversion land with regard to plantation has been sent by DFO Kota as well as recommended by CCF Kota.</p> <p>Factual Report by CCF Kota uploaded on Parivesh portal.</p>
7	<p>As per the DSS analysis and the examination of the KML file, the proposed CA land is overlapping with the CA land of approved project i.e. Navnera Barrage FP/RJ/IRRIG/ 35905/ 2018. Therefore, the correct KML of CA land shall be uploaded on PARIVESH for examination and analysis.</p>	<p>Complied.</p> <p>KML of NFL along with Updated letter of District Collector for setting apart of identified NFL has been uploaded on Parivesh portal.</p>
8	<p>The KML file of the DFL proposed for accommodating the balance seedlings has not been uploaded on PARIVESH. The same needs to be uploaded for further examination</p>	<p>Complied.</p> <p>KML file of proposed DFL along with its DGPS and Toposheet maps are uploaded on Parivesh portal.</p>

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9	Violation has been reported over an area of 24.06 ha, however the detailed Action Taken Report and the present status of same has not been provided, which shall be submitted. It has been mentioned that an FIR was lodged in the year 1996 but no action appears to have been taken further by the State Govt. The reasons/justification for the same shall be submitted. The official responsible for violation and action taken against them shall also be furnished	The FIR number 56-09 dated 19-09-1996 in the said violation registered under Rajasthan Forest Act 1953 has been disposed by compounding of Rs. 1,00,000/- dated 24-01-2022.
10	As per the available KML file, the area under violation is 27 ha whereas the State Government has reported the same as 24.06 ha. The same shall be verified and factual position be submitted.	A joint survey was conducted on 30-12-2021 in presence of Range Forest Officer, Mandi Secretary and the Revenue team in which the total area under violation was calculated to be 24.06ha. as per on revenue record, which was verified by the forest surveyor and concerning halka patwari of the Revenue Department. Report uploaded in additional information on Parivesh portal
11	As per DSS analysis, the Umedganj Bird sanctuary is located at a distance of 2.96 Km from the proposed forest land for diversion. The Status of ESZ and comments of CWLW in this regard shall be furnished.	DCF Wildlife Kota has submitted that Umdeganj Bird Sanctuary is a Conservation Reserve and under Wildlife Protectiona Act 1972, no Eco Sensitive Zone is mandated for Conservation Reserves. Uploaded in additional information on Parivesh portal.
12	As per DSS analysis (copy enclosed), certain anomalies have been observed in component wise detail given in the proposal and the area as per the KML file. Therefore, the correct KML file as per proposed component wise utilization of forest land shall be uploaded on PARIVESH.	Complied by User Agency. Uploaded on Parivesh portal.

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13	Satellite imagery shows the presence of built-up area, mined out area etc. within the proposed forest land for diversion. This needs clarification.	There have been problems of illegal mining in the past at the site that is proposed for diversion. Regular deterrent action has been taken by the department in this regard.
14	As per DSS analysis, a Nallah is flowing through middle of the proposed forest land for diversion. Further, no protection measures for the Nallah have been suggested in the proposal. Therefore, comments of the Water Resource 8-18/2023-FC I/46193/2023 Department of the State on the efficacy of water discharge needs submission.	In compliance, the Executive Engineer, Water Resource department vide letter 1386-87 dated 14-08-2023 has issued NOC on the basis of condition that the cross-sectional area of the Nallah should not be changed and a protection wall be constructed on either sides. Mandi secretary has submitted an undertaking in this regard. Uploaded in additional information on Parivesh portal.
15	A transmission line is passing through the land proposed for diversion. Therefore, a copy of approval under the FCA, 1980 for the said transmission line along	The Superintendent Engineer, Rajasthan Rajya Vidyut Prasaran Nigam Limited vide letter 323 dated 24-07-2024 has informed that the said 132 KV Sakatpura-Sangod Transmission Line was completed by 21-01-1976, and hence it is a matter that predates FCA 1980. Uploaded in additional information on Parivesh portal.

भवदीय

उप वन संरक्षक, कोटा

दिनांक: 22.09.2024

क्रमांक:—एफ ()उवसं/तक./ 2024 / 4869

प्रतिलिपि – श्रीमान नोडल अधिकारी एवं प्रधान मुख्य वन संरक्षक, एफ.सी.ए., राजस्थान को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

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