



सत्यमेव जयते

भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
क्षेत्रीय कार्यालय (मध्य)
Ministry of Environment, Forest and Climate Change
Regional Office (Central Region)



केन्द्रीय भवन, पंचम तल, सेक्टर-एच, अलीगंज, लखनऊ-226024

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पत्र सं० 8बी/राज०/०६/३१/२०१५/एफ.सी./५४

दिनांक : 23-4-18

सेवा में,

अतिरिक्त प्रधान मुख्य वन संरक्षक (वन संरक्षण) एवं नोडल अधिकारी,
वन विभाग, अरण्य भवन,
झालाना इंस्टीट्यूशनल एरिया,
जयपुर, राजस्थान

Online Proposal No.- FP/RAJ/ROAD/6979/2014

विषय: Diversion of 13.558 ha. of forest land for upgradation Kota- Dharanawada Road Km. 132/500 to 137/500

सन्दर्भ : क्षेत्रीय सशक्त समिति (REC) की बैठक दिनांक- 18.04.2018 की कार्रवाई (REC Agenda item 27.10 -Raj) (प्रति संलग्न)

महोदय,

उपरोक्त विषय का आशय ग्रहण करने का कष्ट करें। विषयांकित प्रकरण में राज्य सरकार द्वारा वन (संरक्षण) अधिनियम, 1980 की धारा (2) के अन्तर्गत भारत सरकार की स्वीकृति मांगी गयी है।

उक्त प्रकरण को दिनांक- 18.04.2018 को आहूत की गयी क्षेत्रीय सशक्त समिति (REC) की बैठक में सम्मिलित किया गया था। क्षेत्रीय सशक्त समिति की बैठक (REC) दिनांक- 18.04.2018 की कार्यवाही की प्रति (REC Agenda item 27.10 -Raj) संलग्न है।

अतः क्षेत्रीय सशक्त समिति के द्वारा दिए गये निर्देशानुसार अनुपालना राज्य सरकार द्वारा अपेक्षित है। अतः अनुरोध है कि अनुपालना शीघ्रातिशीघ्र प्रस्तुत की जाए।

संलग्नक- यथोपरि।

भवदीय,

(बृजेन्द्र स्वरूप)
वन संरक्षक {केन्द्रीय}

प्रतिलिपी सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित-

1. प्रमुख सचिव {वन}, सिविल सचिवालय, राजस्थान शासन जयपुर, राजस्थान।
2. उप वन संरक्षक, बारां, राजस्थान।
3. अधिशासी अभियन्ता, सा० नि० वि०, खण्ड- छबड़ा, राजस्थान।
4. पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, क्षेत्रीय कार्यालय, लखनऊ को वेबसाइट पर अपलोडिंग हेतु प्रेषित।
5. आदेश पत्रावली।

(बृजेन्द्र स्वरूप)
वन संरक्षक {केन्द्रीय}

Agenda item 27.10 Rajasthan
(deferred item 27.2 Raj of meeting held on 27th March 2018)

Online No. FP/RJ/Road/6979/2014

8B/RAJ/06/31/2015/FC: Diversion of 13.558 ha of forest land up- gradation of Kota-Dharanwada Road

The details of the proposals are as under:

1. The proposal has been signed and recommended by the all concerned authorities in the part I, II, III, IV & V. No specific comments have been made in Part II, III, IV and V regarding the proposal and recommendation has been made emphasising the vital importance of the proposal since there is no alternative route other than passing through the proposed forest area. The project is necessary in large public interest.
2. As per Site inspection reports and Sr no. 11(i) of Part II filed by the concerned DCF having territorial jurisdiction on proposed forest patches- violation of Forests (Conservation) Act- 1980 has been reported (Site inspection report at page no. 57). FIR has been registered against concerned officials and contractor of the FWD division.
3. As per part II of the proposal the proposed forest patch is not part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Reserve, Wildlife Migration Corridor etc. and does not fall within eco sensitive zone of the protected area.
4. As per part II of the proposal; the proposed forest patches are not located in the area having protected archaeological / heritage site / defence establishment or any other important monument and no any rare/endangered/unique species of flora and fauna found in the area.
5. This additional forest land requirement for to meet out the requirement of up-gradation of Kota-Dharanwada Road km.132/500 to 137/500 Since there is no alternative route other than passing through the proposed forest area. The project is necessary in large public interest.
6. The detail of forest area and number of trees (girth clas\$ >30 cm) is as under-

| S. No. | Administrative Unit | | Area proposed for diversion | | | Details of tree | |
|--------|---------------------|----------|-----------------------------|------------------------|------------------|--|------------------------------------|
| | Forest Division | District | Reserved Forest (Ha.) | Protected Forest (Ha.) | Total Area (Ha.) | No. of trees falling within proposed forest land | No. of trees required to be felled |
| 1 | Baran Territorial | Baran | | 13.558 | 13.558 | 0 | 0 |

Net Present Value

| SI No | Name of Forest Division | Forest Area (in Ha.) | NPV Rate (in Rs per ha) | Crown Density | Eco-Class | Total (Rs.) |
|-------|-------------------------|----------------------|-------------------------|---------------|-----------|-------------|
| 1 | Baran Territorial | 13.558 | 6,26,000/- | 0 | III | 84,87,500 |

Rupees eighty four Lakhs eighty seven Thousand Five hundred only.

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Compensatory Afforestation

| SI No | Name of Forest Division | CA proposed in Area (Ha) | Details of CA Scheme | CA Rate in (Rs / Ha) | Total Financial Outlay for CA Scheme (Rs) |
|-------|-------------------------|--------------------------|--|----------------------|---|
| 1 | Ajmer Territorial | 13.558 | proposed in single patch on DDFL plantation of 300 saplings per ha | 1,55,000 | 2101490/- |

Rupees Twenty one Lakhs one Thousand four Hundred ninety only.

7. The certificate of District Magistrate under Forests (Rights) Act 2006 is placed with the proposal on page no. 12-24 of proposal.
 8. As per GIS-DSS analysis, proposed forest land for diversion and CA land have passed the GIS-DSS analysis (on page no-4/C).
 9. The total outlay of the proposal is Rs 9850 Lakhs
 10. The details of employment generation through the proposal are temporary employment is 30 temporary man days.
 11. The cost benefit analysis is not required as the proposal is less than 20 ha.
 12. A letter no. **8B/RAJ/06/31/2015/FC/2015 dated 15.2.2018 was issued to the Nodal Officer, State Government of Rajasthan on following issues-**
 - a. Details of alternative examined have not been given.
 - b. Layout plan and cross section showing the forest area requirement and area calculation has not been provided.
 - c. Required No objection certificate is not provided.
 - d. Violation of FC Act has been reported & FIR has been lodged against Contractor /driver by ROF. However, area of violation has not been specified.
 - e. Entire area falling under forest proposed for construction has been included in diversion proposal, whereas the road is claimed to be pre existing .It needs clarification.
 - f. As per DSS Analysis 1 ha only out of 13.56 ha proposed for CA is not found suitable.This may be re-examined.
- The reply of the state government is still awaited.**

Decision of Regional Empowered Committee: - The reply of the EDS sent to the state government is awaited. So, the proposal is deferred for next REC provided compliance is received in time.

The decision of REC was communicated vide letter no. 8B/Raj/06/31/2015/FC/940 dated 28th March 2018. The reply has been received on 16th April 2018 vide letter no. F14()/2015/FCA/PCCF/1834 dated 13th April 2018. Details of compliance submitted with further observations are following:

- a. "Details of alternative examined have not been given."
 - i. Justification has been submitted that there is no alternative and in case if other alternatives are explored more forest area will be required. (document at 8-c/1)
 - ii. The justification is without quantification of forest area other alternatives.
- b. "Layout plan and cross section showing the forest area requirement and area calculation has not been provided."

Handwritten signatures and dates:
 21/04/18
 18/04/18
 10/4/18
 30/04/18
 16/4

- i. Details are provided in hard copy at 8/c-2 and 8c/3.
- ii. As per cross section attached at 8-c/3 the requirement is of 18 mts width whereas area calculation sheet shows average width requirement varying from 7.13 mts to 20 mts at different channage of road.
- c. "Required No Objection certificate is not provided."
 - No Objection Certificate of DCF Baran is enclosed with the reply at 8-c/8.
- d. "Violation of FC Act has been reported & PIR has been lodged against Contractor /driver by ROF. However, area of violation has not been specified."
 - i. Orient violation (4.0 ha) has been provided at 8-c/11. The document is a scanned copy. The extent of violation includes only recent work of 5 mts on both sides for 4 kms.
 - ii. Issue of violation of FCA needs to be dealt as per latest guidelines of MoEF&CC issued on 29th January 2018. Provisions contained on page 2 at A/h regarding cases "... where the proposal under FC Act has not been submitted and Forest land is diverted without FC..." shall be dealt as per provisions contained in sub section(i) & (ii), in this case the violation is of 2013 as per part II filed by DFO and timeline shows submission of proposal by user agency on 8th May 2015.
 - iii. Date of violation in this case is confusing because few other dates are mentioned in report at 8/c-1 like construction of gravel road in 1975 application bitumen/tar in 1984-95. Therefore, the issue requires a self contained note duly providing chronology, details of officials, actual extent with dates, copy of work related documents etc.
- e. "Entire area falling under forest proposed for construction has been included in diversion proposal, whereas the road is claimed to be pre existing. It needs clarification."
 - i. Reply has been provided in the forwarding letter of Nodal Officer (FCA).
 - ii. Extent violation will vary as per this reply which will require inclusion of all constructed area.
- f. "As per DSS Analysis 1 ha only out of 13.56 ha proposed for CA is not found suitable. This may be re-examined."
 - i. As per GIS DSS analysis (report at 9/c) the issue has not been resolved.
 - ii. DFO has submitted justification of less extent of area based on number of saplings to be planted.

Decision of REC -
 The proposal was deferred and details were solicited from the State Government as per above mentioned observations from 'a' to 'f'.

Date: 18th April 2018

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|---|---|---|---|--|--|---|--|
| <p>3rd 18/4/18</p> <p>Shri Kapil Arya, Member</p> | <p>18/4/18</p> <p>Shri Ramji Kesharwani, Member</p> | <p>18/4/18</p> <p>Sri UM Sahai (Member)</p> | <p>Appendd and welfordy</p> <p>18/4/18</p> <p>CF (Central) Member</p> | <p>Secretary (Revenue) Government of Rajasthan (Special Invitee)</p> | <p>Nodal Officer, Department of Forests, Rajasthan (Special Invitee)</p> | <p>18.4.18</p> <p>DCE-cum-Member Secretary, REC</p> | <p>18/4/18</p> <p>APCCF-cum-Chairman REC</p> |
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