



सत्यमेव जयते

भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय



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 8 बी/राज०/०८/४१/२०१५/एफ.सी. /४१

दिनांक: 25.04.2016

सेवा में,

प्रमुख सचिव {वन},
सिविल सचिवालय,
राजस्थान शासन जयपुर ।

विषय : चम्बल भीलवाड़ा पेयजल परियोजना हेतु पुनः संशोधित 6.726 (जनपद-भीलवाड़ा-1.9504 हे०, चित्तौड़गढ़ जनपद-1.4824 हे०, वन्य जीव कोटा-2.57 हे०, बूंदी-0.7232 हे०) वनभूमि का प्रत्यावर्तन एवं 3.60 हे० पूर्व में जनपद भीलवाड़ा में एनएचआई के पक्ष में प्रत्यावर्तित वनभूमि का रि-डायवर्जन बाबत ।

सन्दर्भ : क्षेत्रीय सशक्त समिति की बैठक दिनांक- 18.04.2016 की कार्यवाही (प्रति संलग्न)

महोदय,

कृपया उपरोक्त विषय का आशय ग्रहण करने का कष्ट करें। इस संबंध में मुझे यह सूचित करने का निर्देश हुआ है कि प्रस्ताव को दिनांक- 18.04.2016 को क्षेत्रीय कार्यालय, लखनऊ में क्षेत्रीय सशक्त समिति (REC) की बैठक में स्वीकृति हेतु सम्मिलित किया गया था। क्षेत्रीय सशक्त समिति (REC) की बैठक में चर्चा अनुसार चाही गयी सूचना उपलब्ध कराने के उपरान्त ही प्रस्ताव में सैद्धान्तिक स्वीकृति जारी की जा सकेगी।

संलग्नक- यथोपरि।

भवदीय,

(अमित मिश्र)

उप वन संरक्षक(के.)

Kindly Provide the Required
Information by GOI.

26/4/16
Secretary to Government
Forest Department
Govt. Secretariat, Jaipur

Agenda item 10.5 (9.6) Raj – Rajasthan

8B/Raj/08/41/2015/FC : Diversion of 15.0015 Ha forest land in favour of Executive Engineer, Public Health Engineering Department, Project Division-Rawatbhata for construction of Chambal-Bhilwara water supply project, Phase-I in Chittorgarh, Bundi and Bhilwara Forest Division and Mukundra National Park, including re-diversion of 3.6 Ha of forest land earlier diverted in favour of NHAI.

Details- The proposal (FP/RJ/WATER/17396/2016) was earlier discussed in the 9th meeting of REC on 29th March 2016 with following details-

The details of the proposal are as under-

1. Previously, proposal for diversion of **4.798 Ha of forest land & re-diversion of 3.60 Ha of forest land (earlier diverted in favour of NHAI)**, in Chittorgarh & Bhilwara Forest Division and Mukundra National Park was accorded final approval on 8th Oct 2014. The forest land was diverted in favour of Executive Engineer, Public Health Engineering Department, Project Division-Rawatbhata for construction of Chambal-Bhilwara water supply project, phase-I (bearing file number 8B/Raj/08/18/2012/FC).

Sr. No.	Division Name	Component	Sanctuary Area Forest Land			Territorial Forest Land			Total (Ha)
			Length (Meter)	Width (Meter)	Area (Sqm)	Length (Meter)	Width (Meter)	Area (Sqm)	
1	Mukundra NP	Laying of Water Supply Pipe Line	5140.00	5.00	25700	0.00	0.00	0.00	4.798 (2.57 +0.878 +1.346)
2	Chittorgarh Territorial	Laying of Pipeline, Service Road and Power Line	-	-	-	1756.00	5.00	8780.00	
3	Bhilwara Territorial	Laying of Pipeline, Service Road and Power Line	-	-	-	2320.00	5.80	13460.00	
Total Forest Land in Sanctuary Area (Sqm)					25700	Total Territorial Forest (Sqm)		22240	
In addition to above, 3.6 Hectare (12000m x 3m) Forest Land (Near Rashadpura-Ladpura and mandalgarh in Bhilwara Division, earlier diverted in favour of NHAI) was also included in the proposal and re-diverted in favour of PHED, (with approval of MoEF, New Delhi)									

2. Later on, the user agency realized that the required area of project falling in Bundi District has been missed in the already approved proposal. In addition to it, ROW of 8 meter was required to accommodate pipeline, service road and 33KV transmission line. The new details of area are as under-

Sr. No.	Division Name	Component	Sanctuary Area Forest Land			Territorial Forest Land			Total (Ha)
			Length (Meter)	Width (Meter)	Area (Sqm)	Length (Meter)	Width (Meter)	Area (Sqm)	
1	Mukundra NP	Laying of Water Supply Pipe Line	5140.00	5.00	25700	0.00	0.00	0.00	6.786 (2.570 + 4.156)
2	Chittorgarh Territorial	Laying of Pipeline, Service Road and Power Line	-	-	-	1853.00	8.00	14824.00	
3	Bundi Territorial	Laying of Pipeline, Service Road and Power Line	-	-	-	904.00	8.00	7232.00	
4	Bhilwara Territorial	Laying of Pipeline, Service Road and Power Line	-	-	-	2438.00	8.00	19504.00	
Total Forest Land in Sanctuary Area (Sqm)					25700	Total Territorial Forest (Sqm)		41560	
Note : 3.6 Hectare (12000m x 3m) Forest Land (Near Rashadpura-Ladpura and mandalgarh in Bhilwara Forest Division) earlier proposed for Re-diversion in favour of PHED, has not been included in above mentioned Calculations as well as the proposal.									

3. Vide letter no 8B/Raj/08/41/2015/FC/1070 dated 18th Dec 2015, the Government of Rajasthan was asked to clarify the total area of forest land required for the proposal as well as the forest area already diverted. In the Bar chart showing requirement of forest land, the requirement of forest land has been shown as 6.726 Ha. The user agency has asked for diversion of only 6.726 Ha of forest land which includes 4.798 Ha of already diverted forest land. **However, in the present proposal, 3.6 Hectare (12000m x 3m) Forest Land (Near Rashadpura- Ladpura and mandalgarh in Bhilwara Forest**

Division, earlier diverted in favour of NHAI) earlier proposed for Re-diversion in favour of PHED, has not been included in the proposal and submitted in part I, II, III and site inspection reports of DCFs in the proposal. But in part IV and part V of the proposal, the area proposed for diversion has been mentioned as 6.726 Ha of forest land (including of 4.798 Ha already diverted & 3.6 Ha re-diversion of already diverted in favour of NHAI). Thus the details of forest area proposed in Part I, II, III & site inspection report are not in consistence with details in Part IV and V of the proposal. Thus either Part I, II, III & site inspection report Or Part IV & V of proposal need to be revised online and resubmitted, as per actual ground details.

4. The proposal has been signed and recommended by the all the concerned respective authorities in the part I-V however different forest areas have been recommended as explained in point 3. No specific comments have been made in Part II, III, IV and V of the proposal.
5. In the present proposal, ROW of 8 meter has been proposed in territorial forest divisions of Chittorgarh, Bundi and Bhilwara. (pipeline- 2 meter, approach road - 4.2 meter and 33KV power line – 1.8 meter). ROW in Mukundara National Park has not been changed. The details of trees is as under-

Sr No.	Name of Division	In previous proposal		In present proposal		Difference	
		Area Diverted	No of trees is to be felled	Area Diverted	No of trees is to be felled	Area Diverted	No of trees is to be felled
1	Kota MNP	2.57	1007	2.57	1007	0	0
2	Bhilwara	1.35	19	1.9504	19	0.600	0
3	Chittorgarh	0.878	768	1.4824	820	0.604	52
4	Bundi	0	0	0.7232	4	0.723	4
	Total	4.798	1794	6.726	1850	1.928	56

6. However, as per guidelines on transmission lines, issued by MoEF&CC vide letter no F No 7-25/2012 dated 5th May 2014, the ROW of 33kV power line should be 15 meters. **Thus the proposed ROW of 8 meter needs to be revised in view of ROW of 33KV power line (transmission line).**
7. A part of project is located in Protected Area (Mukundura National Park) for which approval of Hon'ble Supreme Court of India has already been obtained. Forest area proposed for diversion has not been changed in the revised proposal.
8. Protected archaeological / heritage site/ defence establishment or any other important monument is not located in the area.
9. As per site inspection reports of DCF the user agency has violated provisions of FCA 1980. The details of violation are as under-
 - a) Vide letter no F () FC/DCF/2014-15/3229 dated 18th Feb 2016 (addressed to Nodal Officer) DCF Bundi has informed that the user agency has ignorantly laid pipeline in 820 meter length, out of total 904 meters stretch, falling in Bundi Forest Division. The extent of area violation has been mentioned as 0.656 Ha and no FIR has been lodged by DCF Bundi.
 - b) DCF Bhilwara has informed that the user agency has laid pipe line in 2438 meter length instead of already approved 2320 meter of stretch. The user agency has laid 118 meter pipeline in violation of FCA. In addition to it, the representative of user agency has erected 60 towers for 33 KV power line without prior approval under FCA 1980. The territorial DCF has imposed penalty of 75,000/- on contractor (^{M/s} Vaibhav Structural, Kota). The State electricity board was asked to remove towers, but the DCF has not informed whether the towers have been removed or not. DCF Bhilwara has informed violation of 0.075 Ha which need to be rechecked, keeping in view of ROW of transmission line as 15 meters.
10. The user agency has submitted undertaking to make payments of NPV, CA etc.
11. CA proposed on non forest land in Bhainsroadgarh village 3.268 ha, Sripura village (0.18Hec) in Chittorgarh district & Danpura (1.35 Hec) , Rajpura (1.9324 Hec) of Bhilwara District as per Government approved rates A general site suitability certificate of the land proposed for CA has been

submitted and it has not been mentioned whether the proposed land is free from all encumbrances. As per DSSGIS analysis, the land proposed is suitable for CA.

12. The digital map of the forest land proposed for diversion has not passed DSSGIS analysis. In the submitted digital map (in *.kml file) the proposed land for diversion has been shown as line feature, due to which analysis of digital map on DSS is not possible. The digital map should be in the form of polygon type.
13. Cost of Project – 590.86 Crore. Cost Benefit Analysis is not applicable
14. Employment to be generated – Not in
15. FRA certificate is complete.

Decision of REC – The transmission line ROW has been taken as 1.8 meter for 33 KV electrical line which is not in accordance with the guidelines on transmission lines, issued by MoEF&CC vide letter no F No 7-25/2012 dated 5th May 2014. Therefore, the proposal needs to be revised.

In compliance of above, the State Government of Rajasthan has forwarded proposal no FP/RJ/WATER/18811/2015 recommending diversion of 15.0015 Ha of forest area for the said proposal. The details are

- 1) Division wise details of forest area are as under -

Sr. No.	Division Name	Forest Land (ha.)	Non-Forest land (ha.)
1	Mukundra NP	2.57	6.06
2	Chittorgarh Territorial	3.1501	3.279
3	Bundi Territorial	1.5368	0
4	Bhilwara Territorial	4.1446	79.661
5	Bhilwara (Re-Diversion)	3.6	0

- 2) A part of project is located in Protected Area (Mukundura National Park) for which approval of Hon'ble Supreme Court of India has already been obtained. Forest area proposed for diversion in Protected Area has not been changed in the revised proposal.

- 3) The calculation details of forest area proposed for diversion is-

Sr. No.	Division Name	Component	Sanctuary Area Forest Land			Territorial Forest Land			Total Land (Ha)
			Length (Meter)	Width (Meter)	Area (Sqm)	Length (Meter)	Width (Meter)	Area (Sqm)	
1	Mukundra NP	Laying of Water Supply Pipe Line	5,140	5	25,700	0	0	0	15.0015 (2.570+8.8315+3.60)
2	Chittorgarh Territorial	Laying of Pipeline, Service Road & Power Line	-	-	-	1,853	17	31,501	
3	Bundi Territorial	Laying of Pipeline, Service Road & Power Line	-	-	-	904	17	15,368	
4	Bhilwara Territorial	Laying of Pipeline, Service Road & Power Line	-	-	-	2,438	17	41,446	
5	Bhilwara Re-diversion	Laying of Pipeline	-	-	-	12,000	3	36,000	
Total Forest Land in Sanctuary Area (Sqm)					25,700	Total Territorial Forest (Sqm)		1,24,315	

Note: 3.6 Hectare (12,000m x 3m) Forest Land (Near Rashadpura-Ladpura and mandalgarh) proposed for Re-diversion in favour of PHED, Division - Bhilwara which is included in above mentioned Calculation.

4) The proposal has been signed by the all the concerned respective authorities in the part I-V. No specific comments have been made in Part II, III, IV and V of the proposal.

5) As informed by the user agency in presentation, the details of trees to be felled is –

Sr No.	Name of Division	In previous proposal		In present proposal		Difference	
		Area Diverted	trees to be felled	Proposed Area	trees to be felled	Proposed Area	trees to be felled
1	Kota MNP	2.57	1007	2.57	1007	0	0
2	Bhilwara	1.35	19	4.1446	19	2.7946	0
3	Chittorgarh	0.878	768	3.1501	855	2.2721	87
4	Bundi	0	0	1.5368	13	1.5368	13
	Total Diversion	4.798	1794	11.4015	1894	6.6035	100
	Re-diversion in Bhilwara Division	3.6	0	3.6		0	0
	Total	8.398	1794	15.0015	1894	6.6035	100

But, in part-II, item-4, the details of trees is as under-

- Bhilwara Territorial Division – Nil
- Bundi Territorial Division – 13,
- Chittorgarh Territorial Division – 439
- Mukundra National Park – 6

however, in the list of trees - counting of trees has been done in 8 meter ROW (mentioned as “in additional 3 meter width”) instead of proposed entire 17 meter of ROW-

- DCF Bundi has reported 4 trees
- DCF Chittorgarh has reported 820 trees
- DCF MNP-Kota has reported 1007 trees.

So, there is a mismatch in the number of trees as mentioned by respective DCFs in part-II of the proposal and the number of trees mentioned by the user agency in presentation. It is to be rectified

In the present proposal (FP/RJ/WATER/18811/2016) due to 33 KV electric line, the ROW has been increased to 17 meters. **The tree counting should be done for the entire ROW of 17 meters and the number of trees to be felled should be informed accordingly.**

6) The user agency has submitted undertaking to make payments of NPV, CA etc.

7) **The consolidated calculations of NPV of different divisions have not been compiled at one place.**

8) As informed by the user agency in presentation, CA proposed on non forest land in Bhainsroadgarh village 3.268 ha, Sripura village (0.18Hec) in Chittorgarh district & Danpura (1.35 Hec) , Rajpura (1.9324+4.6711 Hec) of Bhilwara District. Total CA proposed is 11.4015 Ha. **CA for re-diversion of 3.6 Ha has not been proposed.** In the present proposal, non-forest land for CA has been allotted in several installments. **So, allotment letters of land for CA and Site suitability certificates should be provided in tabular summary along with site suitability certificates.**

9) **The consolidated details of Cost of CA of different divisions have not been compiled at one place.**

10) **Similarly, details of FCA violation in Bundi and Bhilwara should be compiled in tabular format and 10 times Penal CA should be imposed.**

11) Scheme of planting medicinal plants below 33 KV transmission line has not been submitted. The estimates of all the forest divisions should be compiled. The Nodal Officer-Rajasthan clarified that the area below transmission line is mostly rocky in nature and plantation of dwarf plantation below transmission line would not be technically feasible.

12) The user agency has submitted undertaking to make payments of NPV, CA etc.

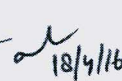
- 13) Employment to be generated during construction period – Not informed mandays (Approx)
- 14) The user agency has complied with the requirement of certificate under FRA-2006 partially-
- In the village Bhunjar Kalan, District Chittorgarh, the **forest area proposed for diversion is 3.1501 Ha while Gram Sabha proceedings for only 1.4824 Ha forest land has been submitted.**
 - For 1.5368 Ha forest area in Lamba Khoh village in Bundi District, instead of Gram Sabha proceedings only certificate of Sarpanch has been submitted.
- 15) The cost of project – 590.86 Crore. Cost Benefit Analysis – Not Applicable.
- 16) The digital map (for forest area proposed for diversion) has been submitted in “poly line format” due to which analysis of digital map on Digital Support System is not possible. **The digital map should be submitted in “polygon format”.**

Decision of REC- The issue of number of trees has been clarified by the Nodal Officer- Rajasthan and submitted in writing also. The issue of CA for re-diversion was also clarified – the area was already diverted to NHAI and NHAI has given NoC for diversion of this area to the present user agency.


The committee approved the proposal subject to submission of-

- Consolidated list of CA, Penal CA, and NPV.
- Proceedings of Gram Sabha of FRA for village Bunjar Kalan and Lamba Khoh.
- Revised digital map.
- Employment to be generated.



Prof. B. Dhar
Member


18/4/16
Shri U M Sahai
Member


18/4/2016
Shri V C Sacheti
Member


18/4/16
CF (Central)
Member

Not-present
Secretary Revenue
(Rajasthan)
Special Invitee


Nodal Officer
(Rajasthan)
Special Invitee


18/04/16
Member
Secretary REC


Chairperson
REC