

Government of India
Ministry of Environment, Forests and Climate Change
(FC Division)

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi - 110003.
Dated: June, 2023

To,

The Principal Secretary (Forests),
Department of Environment & Forests,
Government of Rajasthan,
Jaipur

Subject: Proposal for diversion of 96 ha. of forest land in favour of Secretary, Krishi Upaj Mandi Samity, Anantpura Kota for Extension of Bhamashah Krishi Upaj Mandi Samiti, District Kota, Rajasthan (Online Proposal No. : FP/RJ/Others/20036/2016).--regarding.

Madam/Sir,

I am directed to refer to the Government of Rajasthan's letter No. P.1 (29) VAN/ 2023 dated 05.05.2023 submitting the above subject proposal for seeking prior approval under Section (2) of Forest (Conservation) Act, 1980 . After examination of the proposal, the following shortcomings have been observed:

- i. 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.
- ii. 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.
- iii. 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.
- iv. The detail of existing area of Krishi Upaj Mandi along with legal status of the said

land is not available which shall be furnished.

- v. 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.
- vi. 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.
- vii. 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.
- viii. 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.
- ix. 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.
- x. 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.
- xi. As per DSS analysis, the Umdeganj 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.
- xii. 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.
- xiii. Satellite imagery shows the presence of built-up area, mined out area etc. within the proposed forest land for diversion. This needs clarification.
- xiv. 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

Department of the State on the efficacy of water discharge needs submission.

- xv. 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 with NoC for shifting of transmission line by the user agency needs submission.

In view of above, the State Govt. is requested to provide the information/ document/ clarification on the points as indicated above to this Ministry for further consideration of the instant proposal.

Encl.as above.

Signed by Suneet Bhardwaj

Date: 19-06-2023 11:17:56

Reason: Approved

Yours faithfully,

Sd/-

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to: -

1. The Principal CCF & HoFF, Government of Rajasthan, Jaipur;
2. The Regional Officer, Integrated Regional Office of MoEF&CC, Jaipur, Rajasthan;
3. The Nodal Officer(FCA), O/o the PCCF, Government of Rajasthan, Jaipur;
4. User Agency;and
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi Delhi for uploading on PARIVESH portal.



जहाँ है हरियाली ॥
वहाँ है खुशहाली ॥



Load Polygon
Select Polygon

Polygon-1

Show Shortest Distance

(Only for 'Get Landcover Info')

Convert to KM

Decision Rule 1

Get Land/Forest Cover

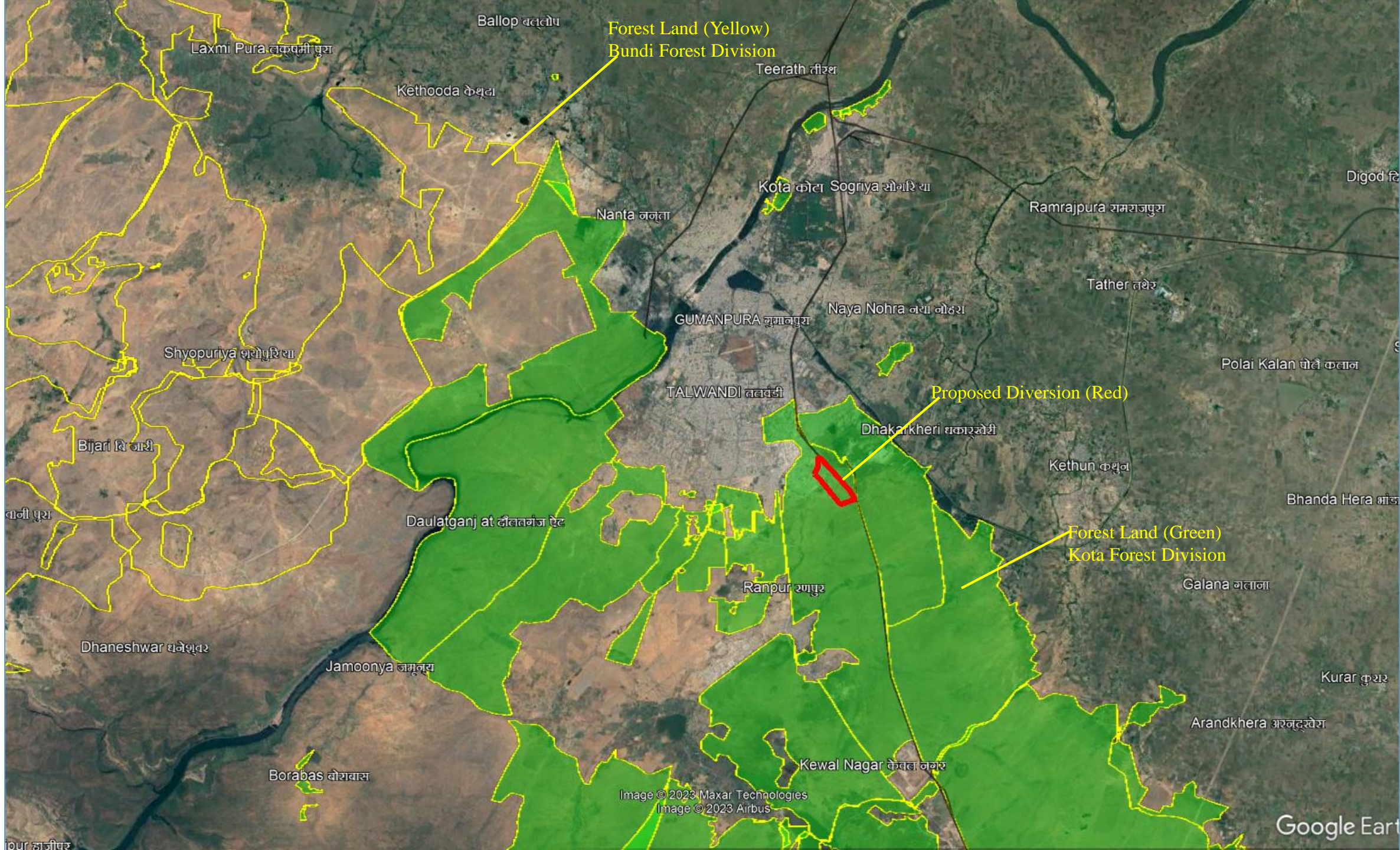
MIS Application

Get Time Series

Get Result Table

Save Result Table

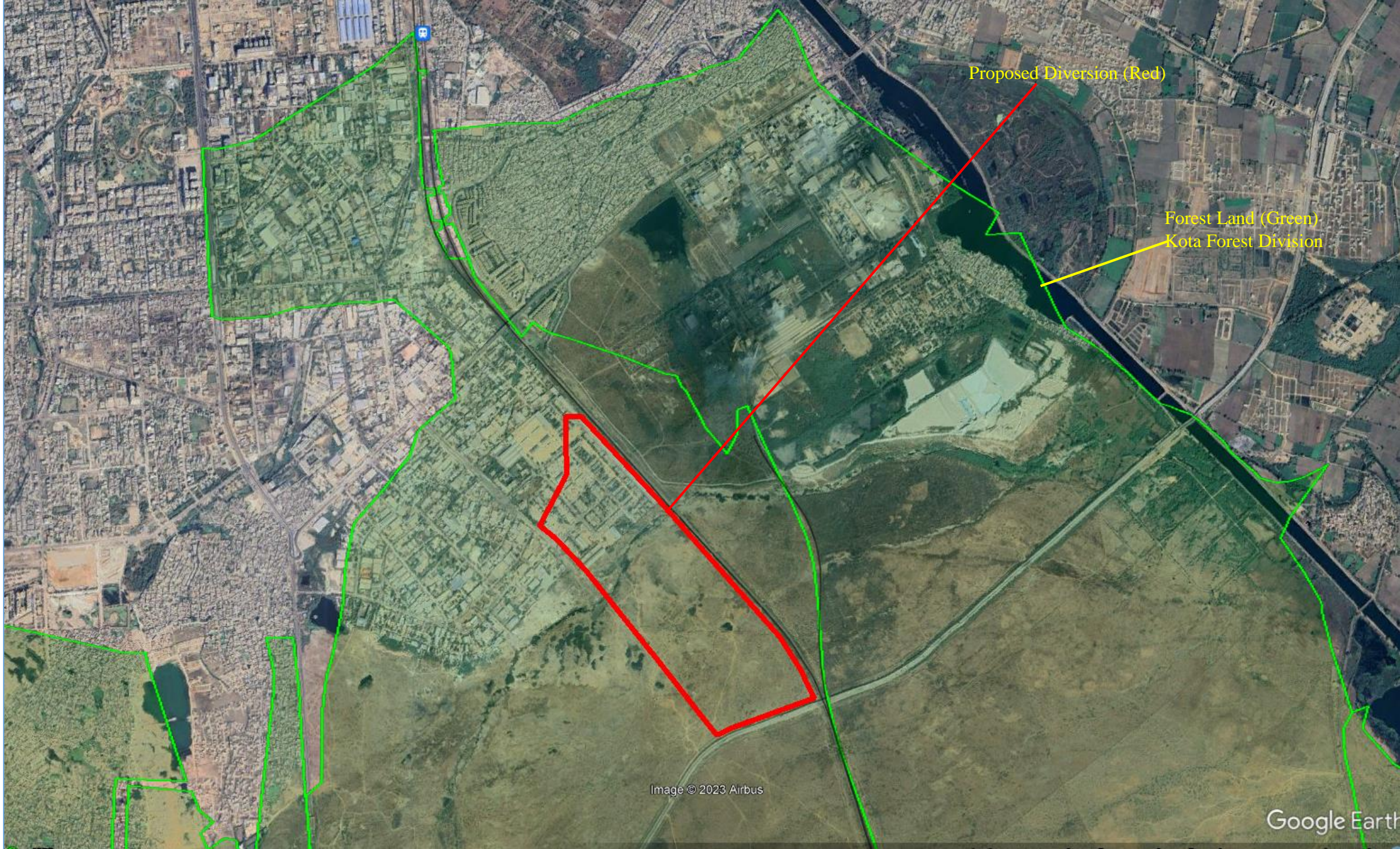




Forest Land (Yellow)
Bundi Forest Division

Proposed Diversion (Red)

Forest Land (Green)
Kota Forest Division



Proposed Diversion (Red)

Forest Land (Green)
Kota Forest Division

Proposal: Diversion of 96 ha forest land for extension of Bhamashah Krishi Upaj Mandi Samiti

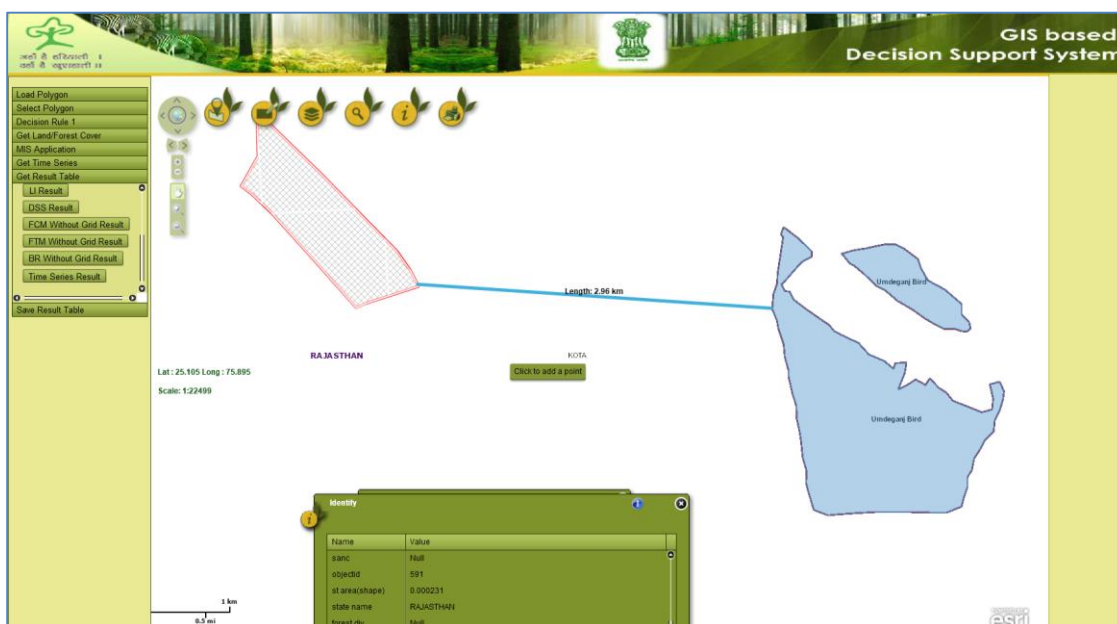
Summary of DSS Analysis Report:

I. In Case of Land proposed for Diversion:

1. As per DSS, proposed forest area for diversion falls under Kota district of Rajasthan State.
2. Calculated area of Shape file/ KML file of Forest land proposed for diversion is found 95.745 ha (GIS software calculated). However, the State Govt. may be requested to correct the component wise KML file on PARIVESH because variation in the forest area has been found through the KML file.

S.No.	Component	Area (Ha) calculated through KML file	Area (Ha) as per Part-I form on PARIVESH
1	Mandi activity	2.051	2.05
2	Parking	0.828	1.36
3	Park or Facility	4.254	4.43
4	Railway siding	7.621	7.64
5	Road	23.293	17.435
6	Open Auction Platform Facility	37.979	39.025
7	Existing Mandi	25.378	24.06
	Total	101.403	96

3. A shift in the KML of proposed diversion area has been found because the proposed forest diversion boundary is not covering an area up to the forest department wall.
4. As per DSS, Umdeganj Bird sanctuary is located at a distance of 2.96 Km from the proposed forest land for diversion.



5. The instant proposal for diversion falls under Not-Inviolate area or Not In-High conservation zone value (NHCV) as per DSS Rule-I & Rule-II.

6. Google Earth imagery shows the presence of Built-up area, mined out area and a Nallah flowing through middle of the proposed forest land for diversion.
7. A transmission line is passing through the land proposed for diversion.
8. As per the interpretation based on the satellite imagery, it has been found that the violation of FCA, 1980 has been done by the user agency over 27 ha forest land whereas the State Govt. reported 24.06 ha forest area under violation.

Google imagery showing the proposed diversion:



9. **Forest Cover in the instant project:** Out of total 96 ha (as per DSS) forest area of instant project, 96 ha of land is Non Forest or Non-wooded (land devoid of tree cover) in terms of forest classes (as per the ISFR 2021) based on the interpretation of satellite data period 2019-2020.
10. **Forest Types details:** Non-Forest: 96 ha

II. In Case of Compensatory Afforestation Land:

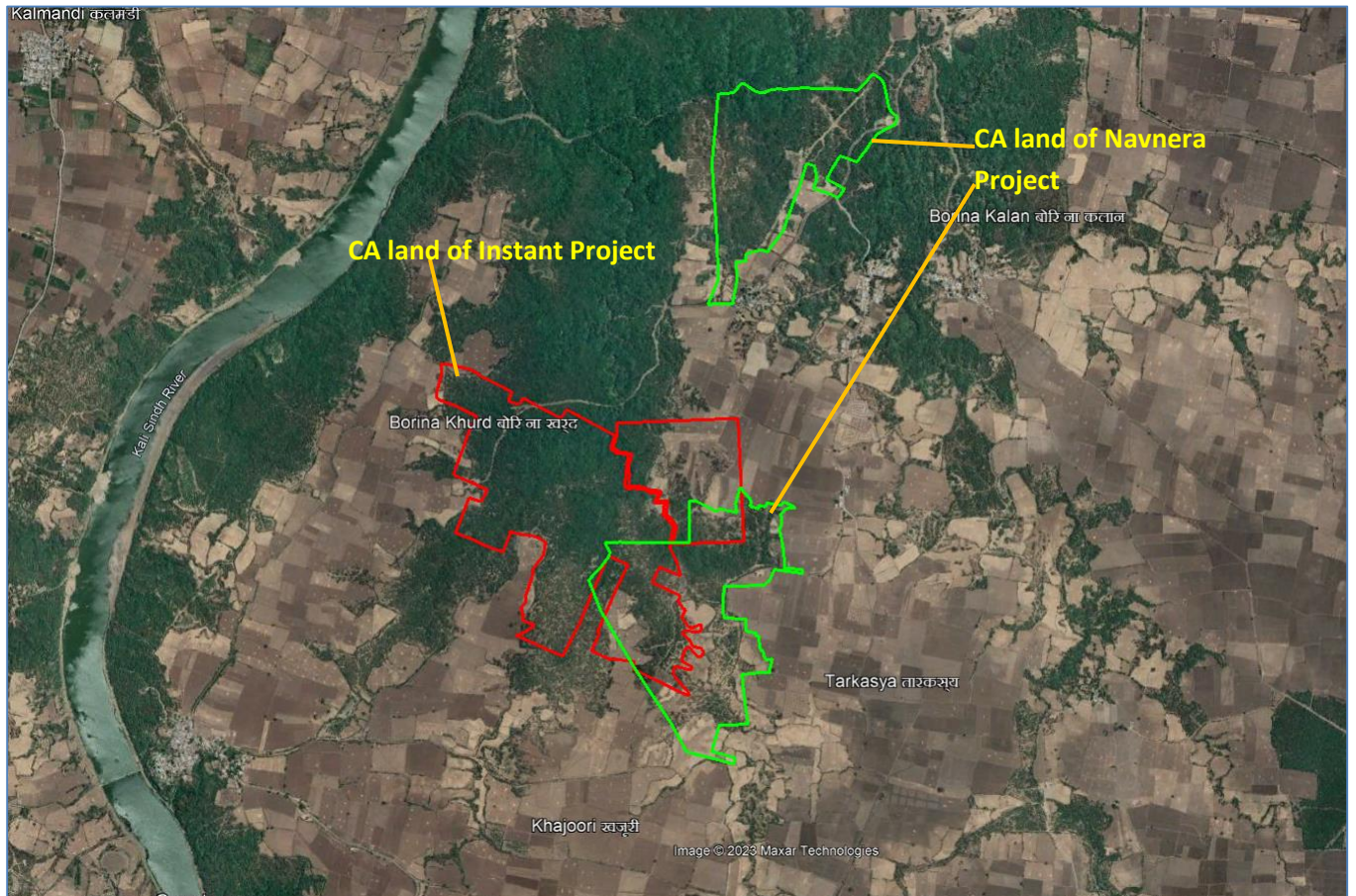
1. User agency has uploaded incorrect KML file of CA land on PARIVESH because the khasra details along with village name are not found matching the District Collector, Kota order dated 13.12.2017. Moreover, the KML of CA land is falling over the CA land of approved project i.e. Navnera Barrage (FP/RJ/IRRIG/35905/2018). Therefore, the State Govt. may be requested to upload the correct KML file of Non-forest land (NFL) proposed for CA in the instant project.
2. CA has been proposed in two patches located under the Kota District of Rajasthan State.
3. Total area of proposed CA land is found 95.763 ha (sof)
4. In terms of standards followed in ISFR 2021 (interpretation of satellite data period 2019-2020) regarding density classes is given in Table-1 below:

Table No.1

S.No.	District	Village	Khasra No	State Govt. reported CA Area (Ha)	DSS Area (Ha)	VDF	MDF	OF	NF
1	Kota	Borina khurd	174	22	22	0	9	10	3
2		Guraytha	74,75,76, 78, 79, 80, 81, 82, 83, 94, 95, 100, 101, 102, 106, 107, 109, 110,111, 114, 474	74	74	0	67	1	6
Total				96	96	0	76	11	9

- 5. Forest Cover in CA land:** Out of total 96 ha (as per DSS calculation) area proposed for CA, 76 ha of land is characterized with Moderately Dense Forest, 11 ha of land is having Open Forest and 9 ha is Non Forest (Non-wooded) in terms of forest classes (as per the ISFR 2021) based on the interpretation of satellite data period 2019-2020.
- 6.** The State Govt. may be requested to provide the KML file of 96 ha degraded forest land identified for the purpose of CA in Chakranpur Forest Block, District- Kota.

Google imagery showing the proposed CA sites on Non-Forest land (NFL) in the instant proposal are found overlapping with the CA land of approved project:



Decision Support System (DSS):

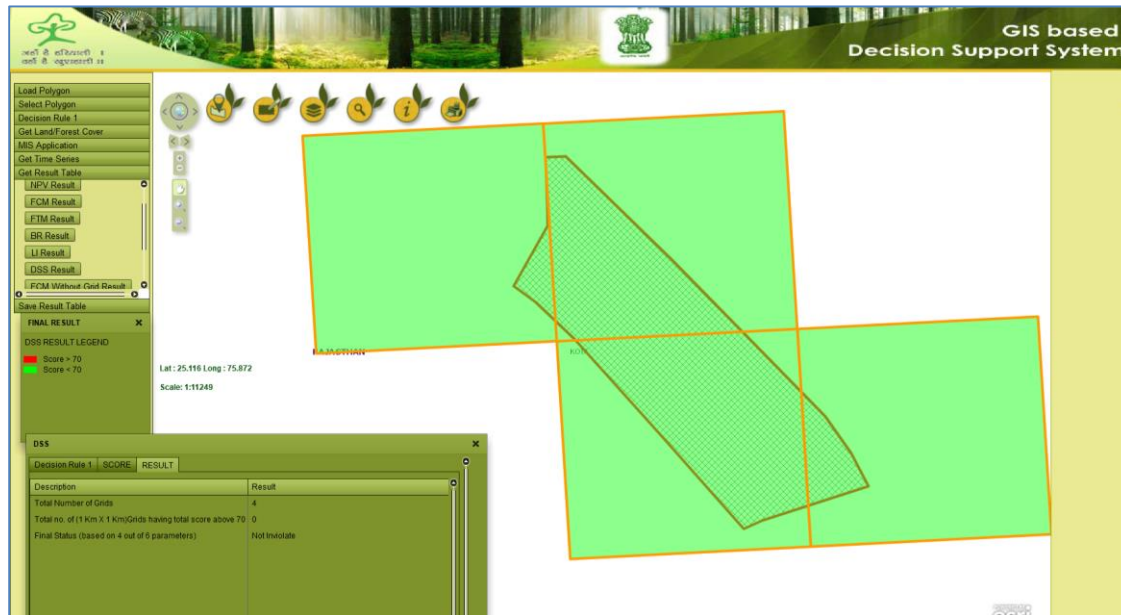
Decision Rule no. 1:

Whether forms part of:

- I. Hydrological Layer:
 - a. Major River: **N/A**
 - b. Wetland (Area more than 10 ha.): **N/A**
 - c. Water bodies (irrigation/Hydropower/water storage): **N/A**
- II. Very Dense Forest patch (>1 sq km): **N/A**
- III. Remnant Forest Type: **N/A**
- IV. Protected area/Tiger Reserves/Tiger corridors: **N/A**
- V. Wild life Species: **N/A**

Decision Rule no.2:

Without 50% Rule:



DESCRIPTION	RESULT
Total Number of Grids	4
Total no. of (1 Km X 1 Km)Grids having total score above 70	0
Final Status (based on 4 out of 6 parameters)	Not-Inviolate

Final Result: Not-Inviolate (Based on Decision Rule 2)

Forest Cover Map:

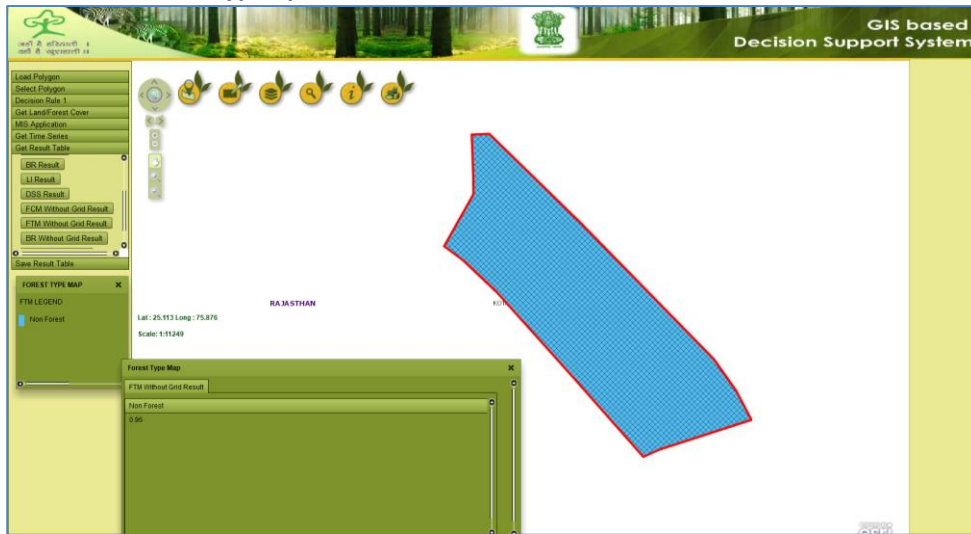
In terms of standards followed in ISFR 2021 (interpretation of satellite data period 2019-2020) regarding density classes:

- I. Very Dense Forest (Canopy density 70% & above): 0.00 ha.
- II. Moderately dense Forest (canopy density 40-70%): 0.00 ha.
- III. Open Forest (canopy density 10-40%): 0.00 ha.
- IV. Scrub: 0.00 ha
- V. Non-Forest land: 96 ha.

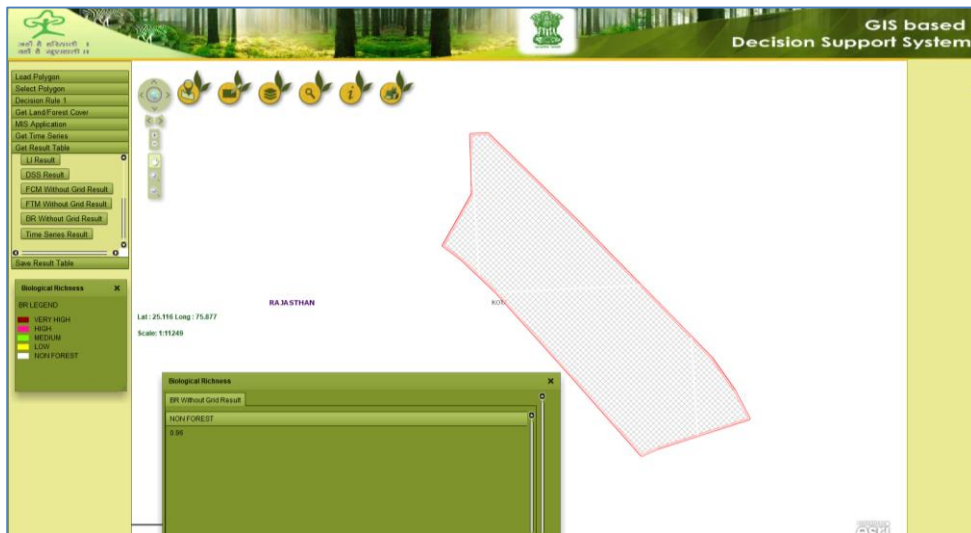


Forest Type Map:

Details of Forest Types present: Non-Forest: 96 ha



Biological Richness: Non-Forest: 96 ha



Submitted please