

**In the matter of Rajendra Tiwari V/s Union of India & Ors. Original Application No. 103/2024 (CZ), Hon'ble NGT, Central Zone Bench, Bhopal**

**Background**

In the case filed by Mr.Rajendra Tiwari against Union of India & Ors. before the Hon'ble National Green Tribunal, Central Zone, Bhopal the applicant has raised the issue of reserved/protected forest land of Sariska Tiger Reserve not having been recorded in the name of forest department in revenue records.

**Order**

Hon'ble NGT, Central Zonal Bench in its order dated 01.05.2024 has directed as follows :

*We deem it just and proper to call a report on the matter in issue, in present application, from a Joint Committee consisting of:-*

- (i) *One representative from the Secretary, Ministry of Environment Forest and Climate Change, Zonal Head Quarter at Bhopal.*
- (ii) *One representative from the Additional Chief Secretary of Forest and Wildlife, Government of Rajasthan, Jaipur (Rajasthan)*
- (iii) *One Representative from the Collector, District Alwar(Rajasthan)*
- (iv) *One Representative from the Principal Chief Conservator of Forest cum Chief Wildlife Warden, Forest Department, Government of Rajasthan(Rajasthan)*
- (v) *One Representative from the Member Secretary, Rajasthan State Pollution Control Board, Jaipur (Rajasthan)*

There after, Hon'ble NGT vide letter no. NGT-CZB/Jud./2024/ dated 03.05.2024 appointed State PCB as Nodal agency for coordination and the Committee was further directed to examine the matter that the area notified has not been still recorded in the name of the Forest Department in spite of the fact that in some of the cases State Government has issued the notification authorizing the Collector and the Forest Department to do the needful according to the rules. The report in the matter be filed by the Committee through email at [ngtczbbho-mp@gov.in](mailto:ngtczbbho-mp@gov.in) (**Annexure-1**)

Accordingly, District Collector, Alwar, vide letter no 1401 dated 18-06-2024 nominated Sub-Divisional Magistrate, Alwar/Malakheda/Thanagazi/Rajgarh as representative on his behalf. Letter dated 18-06-2024 has been enclosed as **Annexure-2.**

Accordingly, Member Secretary, Rajasthan State pollution control Board, Jaipur (Rajasthan) vide letter no.210-214 dated 06.05.2024 Regional officer, Rajasthan Pollution Control Board, Alwar as representative on his behalf. Letter dated 06.05.2024 has been enclosed as **Annexure-3.**

Accordingly, Additional Chief Secretary of Forest and Wildlife, Government of Rajasthan, Jaipur (Rajasthan) vide letter no.2414 dated 25.06.2024 nominated

Deputy Conservator of Forest, Alwar as representative on his behalf. Letter dated 25.06.2024 has been enclosed as **Annexure-4**.

Accordingly, Secretary, Ministry of Environment Forest and Climate Change, Zonal Head Quarter at Bhopal vide letter dated 17.05.2024 nominated Sh. Hemant Singh, Assistant Inspector General of Forests(NTCA) as representative on his behalf . Letter dated 17.05.2024 has been enclosed as **Annexure-5**.

Accordingly, Principal Chief Conservator of Forest cum Chief Wildlife Warden, Forest Department, Government of Rajasthan vide letter dated 20.05.2024 nominated Deputy Conservator of Forest, Sariska Tiger Reserve, Alwar as representative on his behalf. Letter dated 20.05.2024 has been enclosed as **Annexure-6**.

### **Joint Committee Meeting**

In accordance with the aforementioned order, following officials/persons held a meeting on 27.06.2024 in hybrid mode (online as well as physical):

- i. Sh. Seduram yadav, Chief Conservator of Forest, Wildlife, Jaipur.
- ii. Sh. Pratik Juikar, IAS SDM Alwar as representative of District Collector, Alwar.
- iii. Sh. Rajendra Kumar Hudda, Deputy Conservator of Forest, Alwar as representative of Additional Chief Secretary of Forest and Wildlife, Government of Rajasthan, Jaipur (Rajasthan).
- iv. Deputy Conservator of Forest, Sariska Tiger Reserve, Alwar as representative of Principal Chief Conservator of Forest cum Chief Wildlife Warden, Forest Department, Government of Rajasthan, currently holding charge of DCF, Alwar as well.
- v. Sh.Nand Kishor kale, AIG NTCA (Sh. Hemant Singh, is on official training therefore,Sh. Nand kishor kale joined the meeting ) as representative of Secretary, Ministry of Environment Forest and Climate Change, Zonal Head Quarter, Bhopal.
- vi. Sh. Deependra Jharwal, Regional Officer, Rajasthan State Pollution Control Board, Alwar, as representative of Member Secretary, Rajasthan State Pollution Control Board, Jaipur.
- vii. Smt.Seema khetan, SDM Rajgarh as representative of District Collector, Alwar.
- viii. Sh.Ameelal Yadav, SDM Thanagazi as representative of District Collector, Alwar.
- ix. Sh.Devi Singh, SDM Malakhera as representative of District Collector, Alwar.

### **Meeting Proceedings:-**

- i. DCF Sariska Tiger Reserve briefed all nominated members about the issue with present facts as follows: -

Sariska Tiger Reserve includes 88111.24 hectares of forest land under Critical Tiger Habitat and 24572.71 hectares of forest land in the Buffer area. Out of this total of 112683.45 hectares of forest land only 57847.54 hectares have been mutated as forest land so far, with the remaining 54835.91 hectares still not being mutated as forest land in revenue record.

**Details of Mutation of forest land of STR**

Serial No.	District	Area of STR (Hectares)	Mutated forest land as per revenue records (Hectares)	Forest land pending for Mutation (Unmutated) (Hectares)
1.	Alwar	106125.45	51370.54	54754.91
2.	Jaipur	6558.00	6477.00	81.00
		112683.45	57847.54	54835.91

Since a large proportion of the unmutated land in Alwar district comprised of un-surveyed land, a joint survey team consisting of forest department, revenue department and land settlement department was constituted, which after spot inspection and revenue map inspection of the adjoining villages prepared and submitted a proposal to the District Collector of Alwar for 40256.21 hectares. Following this, the Revenue Department of Rajasthan Government issued a notification F-13(4)RAJ-1/2008 dated 23-05-2022 for 38159.34 hectares (**Annexure-7**) and notification F-13(8) RAJ-1/2004/Alwar dated 25-07-2022 for 2096.87 hectares. (**Annexure-8**)

S.no.	Govt. Notification	No of surveyed areas	Total area (ha.)	Remarks
1	F-13(4) RAJ-1/2008 dated 23-05-2022	13	38159.34	
2	F - 13 (8) RAJ-1/2004/ Alwar dated 25-07-2022	01	2096.87	Total area under notification was 2970.39 hectares which includes 2096.87 hectares of Sariska Tiger Reserve and remaining 873.52 hectares of Alwar Forest Division.
		14	40256.21	

In compliance with the state government notification, the District Collector of Alwar was directed by the state government to allot khasra number and mutate the land as forest land in the revenue records in the year 2022. Based on the notification F-13(4) RAJ-1/2008 dated 23-05-2022 and notification F-13(8) RAJ-1/2004/Alwar dated 25-07-2022, maps and the records of the notified area have been sent to the concerned

Tehsildars and letters sent by DCF, Sariska Tiger Reserve to the District Collector Alwar between 2022 to 2024, requesting for making the necessary changes in the revenue records. (**Annexure-9**)

8617.27 hectares of forest area have been mapped from the total remaining area of 14579.70 by the forest department, revenue department and land settlement department team following due process and a proposal has been sent to the District Collector of Alwar vide the DCF, Sariska Tiger Reserve office letter number 4556 dated 21.05.2024. (**Annexure-10**) This proposal will have to be sent by the District Collector Alwar to the state government for notification and only after this can the mutation process be taken forward. The original maps of these areas have also been personally submitted to the concerned Tehsildars on 30.05.2024.

In the remaining area of about 5962.43 hectares, issues like allotment, double notification, overlapping in notification of forest block and lack of mutation in the earlier surveyed land parcels are being faced in the process of mutation.

**Brief on the status of unmutated land**

<b>Serial No.</b>	<b>Status</b>	<b>Area in Ha.</b>
1.	State government notification F-13(4) RAJ-1/2008 dated 23-05-2022	38159.34
2.	State government notification F-13 (8) RAJ-1/2004/ Alwar dated 25-07-2022	2096.87
3.	Proposal sent to the District Collector Alwar vide letter number 4556 dated 21.05.2024	8617.27
4.	Delay due to issues like allotment, double notification, overlapping in notification of forest block and lack of mutation in the earlier surveyed land parcels.	5962.43
		<b>54835.91</b>

SDM Alwar Sh.Pratik Juikar mentioned that the delay in the mutation process is attributable mainly to the process of digitization of maps. Digitization of maps is done by a external firm whose contract is currently expired. Given that presently only online mutation is possible and since digitization of maps is essential for online mutation process, so there has been a delay in mutation process. Since this could be addressed only at the state level, a letter has been written to Revenue and Land Settlement departments for addressing this issue. (**Annexure-11**)

Smt. Seema Khetan, SDM Rajgarh requested fifteen more days for compliance with the NGT order. Sh.Ameelal Yadav, SDM Thanagazi and Sh.Devi Singh, SDM Malakhera too have requested for more time for compliance with the NGT order.

Sh.Nand Kishor kale, AIG NTCA stressed the need to have a time bound process to complete mutation and also called for the filling of affidavit from the revenue authorities on this.

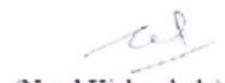
Sh. Seduram yadav, Chief Conservator of Forest, Wildlife, Jaipur noted that two years have passed since the state government notification and yet the concerned forest lands have not been mutated in the name of the forest department by the revenue authorities. He also noted the challenges being faced by the forest department in forest management due to the delay in the mutation process and asked the revenue authorities to take appropriate action in order to record reserved/protected forest land in the name of forest department in revenue records as per the notifications issued by state government.

### ANNEXURES

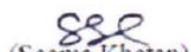
- i. Copy of Hon'ble NGT vide letter no. NGT-CZB/Jud./2024/ dated 03.05.2024(Annexure-1)
- ii. Copy of Letter no 1401 dated 18-06-2024, issued by District Collector, Alwar (Annexure-2)
- iii. Copy of Letter no.210-214 dated 06.05.2024, issued by Member Secretary, Rajasthan State pollution control Board,Jaipur (Rajasthan) (Annexure-3)
- iv. Copy of Letter no.2414 dated 25.06.2024, issued by Additional Chief Secretary of Forest and Wildlife, Government of Rajasthan, Jaipur (Rajasthan) (Annexure-4)
- v. Copy of Letter dated 17.05.2024, issued by Secretary, Ministry of Environment Forest and Climate Change, Zonal Head Quarter at Bhopal (Annexure-5)
- vi. Copy of Letter dated 20.05.2024, issued by Principal Chief Conservator of Forest cum Chief Wildlife Warden, Forest Department, Government of Rajasthan (Rajasthan) (Annexure-6)
- vii. Copy of State government notification F-13(4) RAJ-1/2008 dated 23-05-2022 (Annexure-7)
- viii. Copy of State government notification F-13(8) RAJ-1/2004/Alwar dated 25-07-2022, (Annexure-8)
- ix. Copy of the letters sent by DCF, Sariska Tiger Reserve to the District Collector Alwar between 2022 to 2024. (Annexure-9)
- x. Copy of the proposal sent to the District Collector of Alwar vide the DCF, Sariska Tiger Reserve office letter number 4556 dated 21.05.2024. (Annexure-10)
- xi. Copy of the letters written by the District Collector, Alwar to Revenue and Land Settlement department. (Annexure-11)

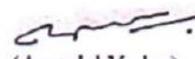
  
(Pratik Juikar)  
IAS, SDM, Alwar

  
(Rajendra Kumar Hudda)  
Deputy Conservator of  
Forest, Alwar

  
(Nand Kishor kale)  
AIG. NTCA

  
(Deependra Jharwal)  
Regional Officer,  
RSPCB, Alwar

  
(Seema Khetan)  
SDM Rajgarh,  
Alwar

  
(Amcelal Yadav)  
SDM, Thanagazi,  
Alwar

  
(Devi Singh)  
SDM Malakhra,  
Alwar