

# **Report of the Joint Committee**

**Constituted by**

**Hon'ble National Green Tribunal (NGT),  
Principal Bench, New Delhi**

**vide its order dated 24.09.2021**

**in OA No. 398 of 2017**

**Report of the Joint Committee Constituted by Hon'ble National  
Green Tribunal (NGT), Principal Bench, New Delhi  
OA No. 398 of 2017**

**Petitioner: Pratap Bhanu Singh Shekhawat**

**Respondents: Department of Mines & Geology & Ors. .**

**1. BACKGROUND**

Hon'ble National Green Tribunal (NGT) order dated 08.03.2019 stated "*we direct the State Pollution Control Board; the Director, Mining Department, State of Rajasthan and Collector Chittorgarh to immediately stop all mining activities which are being carried on within municipal limits of Chittorgarh City and within 10 kms of Bassi Wildlife Sanctuary or within Eco-Sensitive Zone of Bassi Wildlife Sanctuary, if finally notified*".

**2. PETITIONER'S PRAYER**

The petitioner has prayed that all illegal open cast mining of limestone in and around the Chittorgarh, particularly Chittorgarh Fort, close to Bassi Wildlife Sanctuary, close to rivers, water bodies and their catchment areas should be stopped. He has also stated that mining activities are alleged to be without requisite Environmental Clearance and statutory consents under the Water, Air and Environment Protection Acts and Rules and violating other environmental norms.

Among other contentions, the Petitioner has also contended that permitting mining close to the sanctuary or even up to distance of 3 km is not enough to protect the sanctuary from adverse

impact of mining. Petitioner's grievance is that protection of the Bassi wildlife sanctuary has not been fully addressed.

**3. HON'BLE NGT (PB) NEW DELHI ORDER DATED 24.09.2021 WITH REFERENCE TO THIS EXPERT COMMITTEE**

*As regards the prayer for vacating order prohibiting mining within 10 kms from sanctuary, in the light of the ESZ notification, we find that permitting mining too close to the sanctuary is against the "Precautionary" principle. Thus, the said prohibition will have to continue till a decision is taken after an expert study of impact of mining beyond the boundaries of ESZ as per notification dated 08.04.2021, upto 10 kms is required, subject to further order of the Hon'ble Supreme Court. Such study may consider need for rationalizing the boundaries of ESZ in terms of minimum distance from the Wild Life Sanctuary as well as inter-se distance of mines outside such boundaries. Such study may be conducted by a seven member joint Committee comprising Chief Wildlife Warden, Rajasthan, Wildlife Institute of India, Dehradun, Indian School of Mines, Dhanbad, ICAR-Indian Institute of Soil and Water Conservation, Dehradun, IIT Roorkee, CPCB, State PCB and District Magistrate, Chittorgarh. The Chief Wildlife Warden, Rajasthan will be the nodal agency for coordination and compliance. The Committee may hold its first meeting within one month and undertake visit to the site. It may also interact with the stakeholders. The Committee will be free to conduct proceedings online, except for site visit. The report may be given to the MoEF&CC within three months of its first meeting. If the report suggests prohibition/restriction on mining beyond the prohibition/restriction in the ESZ Notification, the MoEF&CC may revisit the said Notification upon which the interim order of this Tribunal will end and final notification so issued will prevail, subject to the same being challenged by the aggrieved party as per law.*

*Till MoEF&CC revisits the notification, the interim order of this Tribunal will continue to operate subject to further orders of the Hon'ble Supreme Court. This question is disposed of accordingly.*

#### 4. COMPOSITION OF THE EXPERT COMMITTEE

Based on the order of Hon'ble NGT dated 24.09.2021 nominations were sought by Chief Wildlife Warden, Rajasthan from Wildlife Institute of India, Dehradun, Indian School of Mines, Dhanbad, ICAR-Indian Institute of Soil and Water Conservation, Dehradun, IIT Roorkee, CPCB, and State PCB. Based on the nominations received from various institutions, the composition of the joint committee is as follows-

S. No.	Name and Designation	Organization/ Department
1	Sh. Arindam Tomar APCCF & CWLW Raj	Chief Wildlife Warden, Rajasthan
2	Dr. J. Antony Johnson, Scientist-E	Nominee from Wildlife Institute of India, Dehradun
3	Prof. Sh. Gurdeep Singh Dept.of ESE, IIT (ISM)	Nominee from Indian School of Mines, Dhanbad
4	Dr. Shakir Ali Principal Scientist (Engineering) ICAR-Indian Institute of Soil and Water Conservation, Kota	Nominee from ICAR-Indian Institute of Soil and Water Conservation, Dehradun
5	Sh. B.K. Yadav. Prof. Dpt. Of Hydrology IIT Roorkee	Nominee from IIT Roorkee
6	Sh. Sunil Kumar Meena, Scientist 'D'	Nominee from CPCB

	CPCB, Bhopal	
7	Sh. Tara Chand Meena DM Chittorgarh	District Magistrate, Chittorgarh
8	Sh. O. P. Gupta RO RSPCB Chittorgarh	Nominee from State PC

## 5. PROCESS OF NOTIFICATION OF THE ECO SENSITIVE ZONE OF BASSI WILDLIFE SANCTUARY

A proposal was prepared by Deputy Conservator of Forest (Wildlife) Chittorgarh and submitted for notification to Ministry of Environment, Forest & Climate Change (MOEFCC) as per the defined process listed in "Guidelines for Declaration of Eco-Sensitive Zones around National Parks and Wildlife Sanctuaries" issued by it on 09.02.2011. MOEFCC notified this proposal as preliminary notification no. S.O. No. 4008(E) dated 04-11-2019. This draft notification mentioned that "*Draft notification shall be taken into consideration on or after the expiry of a period of sixty days from the date on which copies of the Gazette containing this notification are made available to the public;*

*Any person interested in making any objection or suggestions on the proposal contained in the draft notification may forward the same in writing for consideration of the Central Government within the period so specified to the Secretary, Ministry of Environment, Forest and Climate Change, India Paryavarn Bhawan, Jorbagh Road, Aliganj, New Delhi-110003, or send it to the e-mail address of the Ministry at esz-mef@nic.in" Annexure 1*

During these 60 days, a total of 20 objections were received from various agencies and placed before the committee which was constituted by Government of Rajasthan for the Sanctuary.

**Annexure 2.**

The committee reviewed the objections and decided as follows

“एक संयुक्त सर्वे कर बस्सी वन्यजीव अभयारण्य की उत्तरी सीमा में उक्त खदानें न्यूनतम कितनी दूरी पर स्थित है एवं इन खदानों को बाहर निकालते हुए ईको सेंसिटिव जोन की प्रभावित सीमा का पुनः निर्धारण (स्थाई विशेषता यथा सड़क, नाला/नदी, कच्चा रास्ता इत्यादि को आधार मानते हुए) किया जावे तथा ईको सेंसिटिव जोन की उक्त सीमा अभयारण्य की सीमा से कम से कम 1 किमी. दूरी पर रखी जावे।” **Annexure 3**

After considering all objections, the revised proposal was prepared and sent to Government of India for final notification. After following the prescribed process, the final notification of the Eco Sensitive Zone of Bassi Wildlife Sanctuary was published on 30.04.2021. **Annexure 4.** A map of the area is available at **Annexure 7.**

## **6. APPROACH ADOPTED BY THE JOINT COMMITTEE**

The first meeting of the committee members was held on 18.11.2021 by virtual mode. During the meeting, background of the petition and the directions of the Hon'ble NGT (PB) New Delhi as per order dated 24.09.2021 were presented. It was agreed that a field visit was necessary and the same was undertaken on 05.12.2021.

As per the discussions held during the video-conference, all members were provided with records desired by them which included requisite information related to the mining activities; previous monitoring reports from various agencies, etc. The documents provided to the Committee members included Report on Evaluation of Cumulative Effect of Mine Blasting Operations on Chittorgarh Fort Structures and its Environmental Impact submitted by CSIR-CBRI Roorkee (September 2014); Various orders and directions issued by Hon'ble Courts in this matter; Bassi Sanctuary Eco Sensitive Zone notifications (Preliminary and Final); maps of Sanctuary, Eco-sensitive Zone and other relevant features; Final Report on Hydrogeological

studies of Bherda and Jai Surjana Mining Areas (BCW) Chittorgarh (Rajasthan) (submitted through email by RO Chittorgarh); Documents submitted by Birla Cement Works including Modified Mining Plan 2021-22 to 2024-25, Biological Study Report and Conservation Plan, Final Environmental Impact Assessment Report & Environmental Management Plan, Comprehensive Report on Groundwater Conditions in both Core & Buffer Zone as per the Guidelines of CGWA, Ministry of Jal Shakti; and other Compliance documents, etc. The Committee members also examined other records available with their respective institutions relevant to the issue.

During the visit all expert members of the committee were present. Additionally, the following officers were also present:

1. Mr R K Khairwa Chief Conservator of Forest (Wildlife) Udaipur
2. Dr T Mohan Raj Deputy Conservator of Forest (Wildlife) Chittorgarh
3. Mr Sugna Ram Jat Deputy Conservator of Forest Chittorgarh
4. Mr Ratan Kumar ADM Chittorgarh
5. Mr Vineet Gahlot Mining Engineer Chittorgarh
6. Mr Sunil Kumar Singh Assistant Conservator of Forest Wildlife Bassi
7. Mr Abdul Salim Range Forest Officer Bassi

The committee visited the Bassi Wildlife sanctuary, mines located at Parsoli, mines located at Bichor and mines of Birla Cement Works.

One stakeholder Mr. Kan Singh Rathore presented himself and his views were also heard and are recorded as under

1. There was no objection filed by the stakeholder during the ESZ notification process.
2. The ESZ should be extended to include contiguous forest area in the vicinity.

3. He demanded that area upto Bedach river should be included in ESZ of Bassi sanctuary.

The committee also interacted with local inhabitants at the mining sites as well as with the officials of Birla Cement Works.

The present status of mines is given in **Annexure 5**.

The views of various experts were then sought on the following issues with reference to the ESZ of Bassi Wildlife Sanctaury:

1. Should the ESZ be extended up to 10 km as desired by the petitioner?
2. Is the justification provided for declaration of the present ESZ invalid?
3. What should be the ideal extent of ESZ if it is to be revisited?
4. Any other comments

The views of the expert members were received through email and are available at **Annexure 6**. A draft report was prepared on the basis of comments of the expert members and then circulated among the members for finalization. After agreement on the draft final report, the final report is submitted herewith.

## 7. CONCLUSION

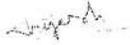
1. The Committee examined all aspects and concluded that no reasons exist for review / rationalization of the finally notified Eco Sensitive Zone of Bassi Sanctuary. There are no mining areas close to the Sanctuary and in any case, the Hon'ble Supreme Court order dated 04.08.2006 (T.N. Godavarman Thirmupad vs. UOI in WP(C) No. 202 of

- 1995) and order dated 21.04.2014 (Goa Foundation vs. UOI in WP(C) No. 435 of 2012) will apply for prohibiting any mining within 1 Km from the Sanctuary boundaries.
2. Although the Eco Sensitive Zone varies from 0 to 3 kms due to ease of delineation, the Committee was unanimous in its conclusion that the finally notified Eco-Sensitive Zone of Bassi Wildlife Sanctuary is sufficient for the purpose of protection of Sanctuary from the adverse impacts of mining.
  3. The Committee also noted that objections were sought on the draft notification of the Eco Sensitive Zone and the objections received by MOEF&CC through transparent online process were resolved by the Committee constituted for this purpose.
  4. In view of the Committee, no additional restriction / prohibition on mining beyond the ESZ is required.

  
Sh. O.P. Gupta  
RO Chittorgarh  
Member of RSPCB

  
Sh. Sunil Kumar Meena  
Scientist 'D'  
Member of CPCB

  
Dr. Sakir Ali  
Principle Scientist (Engineering)  
Member of ICAR, Dehradun

  
Sh. B.K. Yadav  
Prof. Dpt. of Hydrology  
Member of IIT Roorkee

  
Dr. J. Antony Johnson  
Scientist-E  
Member of WII Dehradun

Gurdeep Singh  
Sh. Gurdeep Singh  
Prof. Dpt. of ESE  
Member of ISM Dhanbad

  
District Magistrate  
Chittorgarh

  
Sh. Arindam Tomar  
Add. PCCF & CWLW  
Rajasthan

**ANNEXURE 1**

Item No.-01

(Court No.-1)

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 398/2017

Pratap Bhanu Singh Shekhawat

Applicant

Versus

Department of Mines &amp; Geology &amp; Ors.

Respondent(s)

Date of completion of hearing and reserving of order: 15.09.2021

Date of uploading of order on the website: 24.09.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE BRIJESH SETHI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER****ORDER****The issue raised before the Tribunal and overlapping issue before  
Hon'ble Supreme Court**

1. Grievance in this application is against illegal open cast mining of limestone in and around the Chittorgarh, particularly Chittorgarh Fort, close to Bassi Wildlife Sanctuary, close to rivers, water bodies and their catchment areas. Mining activities are alleged to be without requisite EC and statutory consents under the Water and the Air Act and EP Acts and Rules and violating other environmental norms.

2. An overlapping issue was dealt with by the Division Bench of Rajasthan High Court vide judgment dated 25.05.2012 in Civil Writ Petition No. 6591/2011. The said matter mainly related to protection of Chittorgarh Fort by blasting and other activities during mining. The High

Court prohibited blasting and mining as a remedial measure in the manner indicated in the later part of this order. Against the said order, SLP Civil No. 21211/2012, *Birla Corpn. Ltd. v. Bhanwar Singh & Ors.* is pending before the Hon'ble Supreme Court. The Hon'ble Supreme Court, granted interim order against mining within specified distance from the Fort and obtained a report about impact of mining in the area from an expert Committee. Further, on request of original writ petitioner, study of environmental impact of mining even without blasting was directed vide order dated 23.9.2013 (quoted in later part of the order). An expert study report has been submitted to the Hon'ble Supreme Court to which objections have been filed by the original writ petitioner and all aspects of mining and its impact on environment are pending at large before the Hon'ble Supreme Court.

**Preliminary Observations about scope of proceedings before the Tribunal**

3. In view of overlapping issue mentioned above, we are not inclined to consider some of the issues which are directly being considered by the Hon'ble Supreme Court. However, we are dealing with some of the issues which are not directly dealt with by the Rajasthan High Court and may thus not be considered by the Hon'ble Supreme Court which may also appear to be overlapping, subject to further orders of the Hon'ble Supreme Court. The Tribunal has already granted some interim orders against which matter is pending in the Hon'ble Supreme Court. We are inclined to make the said interim orders absolute subject to further orders of the Hon'ble Supreme Court and further conditions as mentioned in the last part of this order. We are also inclined to leave open some of the questions for want of specific pleadings, material and necessary parties.

4. Original petition is of general nature with only official respondents, later on their request two private parties have been impleaded – one Birla Cement Company who is also party before the Hon'ble Supreme Court and another is association of mining operators. Order of the Rajasthan High Court and pendency of the matter and orders of the Hon'ble Supreme Court were not disclosed in the application even though the petition purports to have been filed on behalf of residents of the area.
5. During pendency of the matter and in view of interim orders of the Tribunal, the authorities have closed some of the mines found operating illegally. Thus, to an extent the petition has become infructuous to the extent grievance of the applicant has been redressed. Updated surviving grievances are not clearly identifiable which necessitates that such grey areas are left open to be decided in the light of specific material which may be brought on record by the parties.
6. By way of rejoinder, the applicant has sought to widen the scope of the proceedings including challenging notification of the MoEF&CC dated 1.7.2016, which was available even before filing the petition. MoEF&CC has not been impleaded as party.
7. In a connected matter, a Bench of this Tribunal awarded compensation for damage to environment against which order the matter is pending in the Hon'ble Supreme Court. Thus, on this aspect, subject to further orders of the Hon'ble Supreme Court, we are inclined to issue some directions. As already noted, the matter arising out of some interim orders of the Tribunal is pending in the Hon'ble Supreme Court though there is no interim order and interim order of this Tribunal is said to have been complied. To the extent violation is alleged, there is no specific material which aspect has to be left open in appropriate proceedings. Further, ESZ

notification has been issued on 8.4.2021 which governs the issue of wildlife sanctuary, though the applicant's grievance is that the grievance of protection of the said wildlife sanctuary has not been fully addressed. We propose to consider this aspect and require further examination.

### **Pleadings**

8. We may now refer to the relevant pleadings. Case set out in the application, originally filed, is that there is large scale of mining in the State of Rajasthan with over 15,318 leases for mines and 18,103 quarries of all sizes. Annual production of limestone is 116 lakhs metric tonnes with revenue of 114 Crores. In Chittorgarh region open cast mining is taking place without environmental safeguards resulting in air, water and land pollution. District Chittorgarh has population of about 15 lakhs which depends for drinking water on Ghambhiri and Bidach rivers which are affected by pollution. Mining leases in Chittorgarh cover 4360 hectares of land. Lot of explosive is used even at night and heavy machinery is used for the purpose. In the process, chemical dust is discharged in the air resulting in diseases like asthma, Silicosis, Tuberculosis, Pneumoconiosis and many others, leading to pulmonary fibrosis and premature deaths. This dust also settles in all plants and crops grown in the District and adversely affects them. It also settles and covers houses and other belonging of inhabitants. The District has tourism potential due to presence of 1500 year old Fort and 150 temples and other monuments. Due to illegal mining, tourism is adversely affected. Huge craters are often left behind which get filled with water. Due to water coming in contact with the minerals, it gets poisoned affecting those who innocently drunk it, particularly the cattle. It also affects human food chain. Stagnant water is a breeding ground for mosquitos, leading to diseases like malaria. Mining activity is also disturbing original water catchment areas and is leading to

water logging problems, adversely affecting ground water recharge. Due to mining activity, water level has gone very low in the adjoining areas of the city and the District. Mining waste slurry is creating issues of water accumulation, increased soil alkalinity and pollution water sources, leading also to hardness of water. Mining related blasting and associated activities are creating noise pollution. Vibrations in the ground leads to cracks in houses of inhabitants, apart from damage to world heritage structures like Chittorgarh Fort. Illegal mining is happening close to the rivers that run through the city and District of Chittorgarh, polluting the sources of fresh water for the city. It also generates leaching in the ground, adversely affecting the ground water reservoirs. Even forested land belonging to the local wild life sanctuary at Bassi is being encroached upon. Mining is being carried on within 10 km radius of this sanctuary, against norms, leading to destruction of wild life and forests of the sanctuary. Many endangered, rare and almost extinct animals like the winged squirrel and Chowsingha - a four horned antelope, only found in this wildlife sanctuary, are facing imminent danger of extinction due to rampant and illegal mining. Sink holes are geological phenomena which is caused when underground limestone is exposed to the environment due to open cast mining leading to rain water and water from other sources like nearby rivers, leading to erosion. Calcium carbonate, main component of the limestone, easily mixes and dissolves in water leading to formation of underground caves and crevices which collapse when they are unable to support weight of construction and the land. Ignoring these environmental aspects, Rajasthan Government has given out 30 years mining leases to various parties and has allowed mining within boundaries of the City as well as in close proximity to the Bassi wildlife sanctuary and Ghambiri and Bedach rivers.

### Stand of Respondents

9. We may now refer to the stand of the Respondents in response to the application. The State of Rajasthan has inter alia stated as follows in its affidavit:-

**"16. That the CSIR-Central Building Research Institute, Roorkee CBRI was directed to analyse and prepare a report to be presented before the Hon'ble Supreme Court in respect of evaluation of cumulative effect of vibration induced by heavy earth moving machineries (HEMM) used in mines near Chittorgarh Fort & its impact on the structural components of the Fort. The CBRI in its detailed report gave concurrent findings as those given by IBM. Thereafter on 29.07.2013 the Hon'ble Supreme Court vide interim order passed the following directions:**

**i) There shall be no mining activity/operation of any sort and of any nature whatsoever from the Chittorgarh Fort wall up to 1 K.M.**

**ii) The mining operations between 1 K.M. and 2 K.M. from the Chittorgarh Fort wall may be permitted by using non-HEMM.**

**iii) The mining operations beyond 2 K.M. from the Chittorgarh Fort wall may be allowed by using HEMM.**

17. It is submitted that the SLP (Civil) No. 21211/2012 is still pending before the Hon'ble Supreme Court hence, **the issue raised by the Applicant in the Original Application is similar to the issue pending adjudication before the Hon'ble Supreme Court.**

#### **ON GOING MINING WITHIN 10 KMS OF THE BOUDARY OF THE BASSI WILDLIFE SANCTUARY**

18. That the Hon'ble Supreme Court vide order dated 4.8.2006 in **T.N. Godavarman Thirumulpad v. Union of India, (2010) 13 SCC 740**, on consideration thereof, laid down certain conditions precedent along with the procedure for the grant of Temporary Working Permit. In this case it was held by the apex court that:

"19. ....

(ii) The mine is not located inside any national park/sanctuary notified under Sections 18, 26-A or 35 of the Wild Life (Protection) Act, 1972;

(iii) The grant of TWP would not result in any mining activity within the safety zone around such areas referred to in Precondition (ii) above (as an interim measure, one kilometer safety zone shall be maintained subject to the orders that may be made in IA No. 1000 regarding Jamua Ramgarh Sanctuary);"

Thus by the above mentioned order the Hon'ble Supreme Court as an interim measure directed to maintain 1 Km safety zone. It is submitted

**that in the present case none of the mining leases whose EC has been challenged fall within 1 Kms from the boundary of Bassi Wildlife Sanctuary and hence there is no violation of this order of the Hon'ble Supreme Court or this Hon'ble Tribunal.**

19. It is submitted that the issue regarding mining activities being carried out near wildlife sanctuaries is also pending adjudication before this Hon'ble Tribunal in the matter of *Nityendra Manav v. Union of India & Ors.*, Appeal No. 48/2016.

20. That the Appeal No. 48/2016 has been filed by one Nityendra Manav, a resident of village and Post Paota, tehsil Kotputli, district Jaipur, Rajasthan challenging the environmental clearances granted by State Level Environment Impact Assessment Authority, Rajasthan (hereinafter referred to as SEIAA) on 19.05.2016 and by District Level Environment Impact Assessment Authority, Alwar (hereinafter referred to as DEIAA) on 30.05.2016. It is alleged in the Appeal that the Environmental Clearances have been granted without application of mind and in violation of various Judgments/orders of the Hon'ble Supreme Court of India, directions of the Central Empowered Committee (CEC) and Ministry of Environment and Forest (MoEF) & CC which provide that there can be no mining activity within 10 Km of the boundary of a Wildlife Sanctuary and that the grant of Environmental Clearance is also in violation of the Precautionary Principle and Sustainable Development.”

Steps taken to protect the health of wildlife and damage to the environment

are as per following table:-

S. NO.	CONCERNED DEPARTMENT	ACTION TAKEN/CURRENT STATUS
1.	Medical and Health Department, Chittorgarh	<ul style="list-style-type: none"> <li>• Regular 'Health Check-up Camps' are being organized since 2015 wherein diseases are identified and treated. 3542 labour have been checked till dated and a total of 75 camps have been organized. Out of this only 15 labour (8 mines labour and 7 others) were detected with Silicosis disease and they have already been given compensation.</li> <li>• Stagnant water is being treated duly from time to time so as to avoid diseases and/or infections.</li> </ul>
2.	Wildlife Department	<ul style="list-style-type: none"> <li>• As per the guidelines of the Hon'ble Supreme Court in the case of <i>T.N. Godavarman Thirumulpad v. Union of India</i>, (2010) 13 SCC 740 no mining activities are being carried out within the radius of 1 km from the Bassi Wildlife Sanctuary. The same has been explained in detail hereinafter.</li> <li>• The proposal for declaring area around Bassi Wildlife Sanctuary as Eco Sensitive Zone is pending with the Central Government for approval.</li> </ul>

3.	Senior Geologist, Department of Mines and Geology	<ul style="list-style-type: none"> <li>No sink holes which might be dangerous for the habitants of the area have ever been reported.</li> <li>Sink holes are not so common in all the limestones and are only location specific. In Chittorgarh area no such dangerous sink holes have been observed.</li> </ul>
4.	Groundwater Department	<ul style="list-style-type: none"> <li>The Post-monsoon water level of Chittorgarh area in 2016 is much higher than that recorded in the last two years.</li> <li>There is no decrease in the water levels due to mining activities.</li> </ul>
5.	Public Health Engineering Department	<ul style="list-style-type: none"> <li>The water being supplied in the Chittorgarh City is safe for drinking.</li> <li>One of the supply points for water is situated in Bherda Block of Birla Cement Corporation mining lease area and as per analysis report even that water was found to be safe for drinking.</li> <li>7.5 MLD water is supplied daily from Bherda Block.</li> </ul>
6.	Animal Husbandry Department	<ul style="list-style-type: none"> <li>No report/complaint has been received by the department till date regarding any cattle falling sick because of the ongoing mining activities or against any heavy metals being introduced in the food chain from Charagah Land.</li> </ul>

10. Vide further affidavit dated 23.08.2017 information furnished on behalf of the State of Rajasthan is as follows:-

*"4. Accordingly, inspections were done and after inspection of the area following reports from various departments were submitted:*

- I. *Joint Inspection Report Submitted by the Mining Engineer, Chittorgarh, Deputy Superintendent of Police, Chittorgarh and Sub-Divisional Magistrate, Chittorgarh on 10.07.2017.*
- II. *Office of the Addl. Superintendent of Police, Chittorgarh also submitted a report dated 19.07.2017:*

*The consolidated report of the above-mentioned joint inspection was conducted of the Mine and the quarry licenses near the Chittorgarh Fort area.*

- a) *During inspection in the outer periphery of 1 km of the Chittorgarh fort, the partial area of Block- Bherda of M/S Birla Cement Works no mining activity was found to be carried on.*
- b) *From the outer periphery of the Chittorgarh fort at a distance of 1 km upto a distance of 2 kms only work is permitted with manual work i.e., without the use of any Heavy Earth Moving Machinery. Also in many areas the mines were water logged and hence no mining activity was found.*

- c) *Beyond the periphery of 2 kms from the outer boundary of the Chittorgarh fort and upto a distance of 10 kms the mining and quarry activity are undertaken with the use of Heavy Earth Moving Machineries (hereinafter referred as HEMM). As per the present status of the area no activity of blasting is found.*

*(A copy of the Joint Inspection Report dated 10.07.2017 is Annexed herewith and marked as ANNEXURE RA-4 at pages to)*

*(A copy of the Report dated 19.07.2017 is Annexed herewith and marked as ANNEXURE RA-5 at pages to)*

- III. *It is also submitted that the Department of Mines and Geology, Chittorgarh, Rajasthan has also conducted random inspection in the said area on several date whose consolidated finding is that there were no incidences of blasting found in the said area and the activities were undertaken in consonance with the interim order dated 29.07.2013 of the Hon'ble Supreme Court in Special Leave to Appeal (C) no. 21211 of 2012 in the matter titled as Birla Corp. Ltd. versus Bhanwar Singh & Ors.*

- IV. *It further stated that the Department of Mines and Geology, Chittorgarh, Rajasthan has installed various boards on the mining sites stating the interim directions passed by the Hon'ble Supreme Court in the above captioned matter and their strict adherence to the directions. (A set of photographs showing the boards installed in the said area is annexed herewith and marked as ANNEXURE RA-6 at page to)*

- V. *It is submitted that the State of Rajasthan vide letter dated 02.08.2017 has directed the District Collector, Chittorgarh and Mining Engineer Chittorgarh to comply with the interim order of the Hon'ble Supreme Court dated 29.07.2013 and direction of Hon'ble Tribunal dated 03.07.2017 so that no blasting activity is undertaken for the purpose of mining. In continuation of the above direction Mining Engineer, Chittorgarh has constituted a team consisting of Assistant Mining Engineer and Mines foreman Grade-I & Grade -II officers vide letter dated 03.08.2017.*

*(A copy of the letter dated 02.08.2017 & 03.08.2017 is Annexed herewith and marked as ANNEXURE RA-7 (colly) at pages to . )*

- VI. *In compliance of the above letter dated 02.08.2017 and 03.08.2017 the team inspected the Manpura area, Gopal Nagar, Surajpole, Bheru Singh ka Khera, Semalpura, Jai Surjana area and Pandoli, Devri, Sahanva, Raghunathpura & Kantharia area on date 10.08.2017, 16.08.2017 and 18.08.2017. As per inspection report the mining activity was found in consonance with the earlier report dated 10.07.2017*

(Joint Inspection Report Submitted by the Mining Engineer, Chittorgarh, Deputy Superintendent of Police, Chittorgarh and Sub-Divisional Magistrate, Chittorgarh annexed as RA-4 at pages) and 19.07.2017 (a report by the Addl. Superintendent of Police, Chittorgarh annexed as Annexure RA-5 at pages to) as well as with the interim order dated 29.07.2013 of Hon'ble Supreme Court and direction dated 03.07.2017 of Hon'ble Tribunal.

- VII. It is further submitted that the Rajasthan State Pollution Control Board has also submitted in its report dated 18.07.2017 that:
- a) Till date the office of the RSPCB has not received any complaint regarding air/water/soil pollution caused by operation of Manpura Quarries,
  - b) The Air Quality monitoring could not be carried out due to rainy season and only than 10 % were under operation which were also scattered in complete Manpura Area to assess representative air quality it will be better to monitor in dry season and operation of quarries nearly 40-50% in the entire area. Though visually air quality was clean as no blasting or HEMM mining was going on.
- VIII. It is further submitted that Medical And Health Department, State of Rajasthan has also submitted a report dated 17.07.2017 stating that Regular Health Check-up camps are being organized since 2015 and a total of 75camps have been organized so far wherein in the Chittorgarh district a total of 3542 laborers have been checked out of which only 15 laborers (8 mines laborers and 7 other laborers) were detected with the silicosis disease and have been duly compensated as per the rules. Also the stagnant water is duly treated from time to time so as to avoid water borne diseases and/or infections.
- IX. It is submitted that the Department of Forest and Wildlife, State of Rajasthan has also submitted a report dated 14.07.2017 wherein following findings have been made:
- a) There has been no mining activity in the Bassi Wildlife Sanctuary Area and within 1 km of the periphery of the sanctuary area.
  - b) Forest and Wildlife Department, Chittorgarh has proposed eco-sensitive zone from 0 to 3 kms from the outer periphery of the sanctuary area whose final approval is pending with the Union of India.
  - c) The mining activity undertaken in the area has no adverse impact on the winged sequel and Chowsingha-a four horned antelope or other wildlife, as the mining activity is far away from the sanctuary area.
- X. It is submitted that Public Health and Engineering Department, State of Rajasthan has submitted a report

dated 28.06.2017 and 18.07.2017 wherein it is stated that:

- a) The water supplied in the Chittorgarh City is safe for drinking purpose.
- b) One of the supply points for water is situated in Bherda Block of the Birla Cement Works mining lease area and as per the analysis report even that water was found to be safe for drinking.
- c) 7.5 MLD of filtered water is supplied daily from Bherda Block to the City of Chittorgarh.

(A copy of the Public Health and Engineering Department Report dated 29.06.2017 and 18.07.2017 is Annexed herewith and marked as ANNEXURE RA-8 at pages to . )

- XI. It is submitted that the Animal Husbandry Department, Govt. of Rajasthan vide its letter dated 28.06.2017 has stated that till date there has been no reported incident of any cattle getting sick from the ongoing mining activities neither there has been any case of contamination of milk due to drinking of water accumulated in the mining pits.

5. It is further submitted that on the issue of sink hole the Senior Geologist, Chittorgarh has stated that:

- a) There is no such serious danger observed/reported like collapse of man-made structure or farm land in the area. No sink holes which might be dangerous to habitants of the area have ever been reported,
- b) Solution cavities (sink holes) which are characteristics of lime stone formation are geological phenomena which take thousands of years to form under suitable geological and environmental conditions i.e., highly acidic nature of water coming into contact of reactive lime stone formation.
- c) In Chittorgarh area intact limestone formation can be observed in course of the River Gambhiri. It shows that the limestone of the area are mostly resistant to weathering and erosion action of River water.

It is further submitted that presently the State of Rajasthan is bound by the order dated 29.07.2013 of the Hon'ble Supreme Court in Special Leave to Appeal (C) no. 21211 of 2012 in the matter titled as Birla Corp. Ltd. versus Bhanwar Singh & Ors."

11. Vide affidavit filed on 21.10.2019 in response to order of this Tribunal dated 11.10.2019 information was given about the mining leases. Vide affidavit filed on 13.12.2019 clarification about the extent of mining

was provided. Similar information has been given by further affidavits dated 20.01.2020, 20.02.2020 and 20.03.2020.

12. We now refer to the affidavits filed by the added Respondents - Birla Cement Company Limited and the Association of miners - Chittorgarh Patthar Udpadak Sewa Samiti, District Chittorgarh. The Company has raised objection to the maintainability of the application on account of pendency of the SLP No. 21211 of 2012, *Birla Company Limited v. Bhanwar Singh* before the Hon'ble Supreme Court. It is further stated that it is undertaking mining in two blocks Jai Surjana Limestone Mine and Bherda Limestone Mine with all necessary permissions. The Rajasthan High Court in Civil Writ (PIL) No. 6591 of 2011 dealt with the issue of mining near the Chittorgarh Fort and a report was sought from the Indian Bureau of Mines which found that no damage has been caused to the Fort. The High Court directed that no mining and blasting shall take place within 10 Kms. of the Fort against which the matter is pending before the Hon'ble Supreme Court and various orders have been passed in the said proceedings as follows:-

- “xxx .....xxx.....xxx
- a. That vide order dated 18.01.2013, the Hon'ble Supreme Court observed that since the question of a complete ban on mining operations around the Fort, even without involving blasting, has not been examined, **the Central Building Research Institute, Roorkee was directed to conduct a study of impact of mining on the said Fort, without blasting operations** and submit its Interim Report expeditiously within three weeks by evaluating the effect of mining in the Fort area, with any kind of manual or electric gadgets, like surface scrappers, rock breakers etc.

The relevant extracts of the order are quoted hereunder for ready reference:

*"The parties are ad idem that before making final orders on the prayer for stay of the impugned directions, a report from an expert on the subject matter be called for. It is suggested that in the first instance, the Central Building Research Institute,*

Roorkee, may be asked to conduct a **study of impact of mining on the said fort even without blasting operations** and submit its interim report. In other words, an expert should evaluate the effect of mining in the fort area, with any kind of manual or electric gadgets, like surface scrappers, rock breakers, etc.

We accede to the prayer and accordingly request the Director of the Said Institute to nominate an expert to undertake the said exercise and submit his report as expeditiously as possible. In any case, interim report shall be submitted within three weeks from today. It will be open to the said expert to consult or seek assistance of any other agency, as he may deem necessary. It is agreed that all the expenses in this regard shall be borne by M/s Birla Company Ltd. The Secretarial assistance shall, however, be provided by the State.

In the meanwhile, the petitioners are permitted to carry out mining operations manually, without the use of any kind of heavy equipment like the JCBs, Earth movers etc. As the said fort is a protected monument, the ASI shall closely monitor the mining operations. "

A copy of the order dated 18.01.2013 passed by the Hon'ble Supreme Court is annexed herewith and marked as Annexure- C.

- b. The Central Building Research Institute, Roorkee (hereinafter referred to as "CBRI, Roorkee") submitted its interim report on 20.02.2013 and thereafter submitted its final report on 02.07.2013. In the said Report, CBRI inter alia observed as under:

"Comprehensive investigation of vibration induced by machineries used in the mines reveals that there is no adverse impact of vibration on the Fort structures, as it does not reach completely at a distance of approx. 500 m and does not reach the Fort premises. Vibration data collected from important Fort structures corroborate the findings, too.

1. Study of cumulative effect of different machineries indicates that the vibration intensity falls down to a value of less than 2.0 mm/s (Peak Particle Velocity) at a distance of 50 m. This is the minimum recommended safe limit of vibration, as per Indian and many other international standards applicable to heritage structures.
2. In light of the above stated facts the Expert Committee is of the opinion that mining operation between 1.0 km and 10.0 km from Chittorgarh Fort are harmless to the monument if allowed only by using HEMM.
3. The Expert Committee feels that a few weeks are too short a period to arrive at a conclusion as far as the response of the cracks observed in the Fort structures are concerned. It is recommended that the issue of resuming of mining operations using HEMM may be taken up

independently. However, long term study of response of the cracks to the full scale mining operations may be taken up separately in a delinked manner, in close association with the major stakeholders like Birla Corporation and ASI.

4. CSIR-CBRI will be happy to undertake such study in greater National interest, f given the responsibility."

c. The Hon'ble Supreme Court vide order dated 29.07.2013, ordered that:

- i. **"There shall be no mining activity/operation of any sort and of any nature whatsoever from the Chittorgarh Fort wall upto 1 km**
- ii. **The mining operations between 1 km and 2 km from the Chittorgarh Fort wall may be permitted by using non-HEMM.**
- iii. **The mining operations beyond 2 km from the Chittorgarh Fort wall may be allowed by using HEMM."**

Further, the Hon'ble Court also kept open for whether mining consideration the question operations by using HEMM can be permitted between 1 km and 2 km from the Chittorgarh Fort. The Hon'ble Court also invited suggestions for long term study of the response of the cracks to the full-scale mining operations.

copy of the order dated 29.07.2013 passed by the Hon'ble Supreme Court is annexed herewith and marked as annexure- D.

d. The Hon'ble Supreme Court in its order dated 23.09.2013 noted the suggestions of the counsels appearing for the parties regarding the scope of the study to be conducted by CBRI, Roorkee and **directed CBRI, Roorkee to undertake a comprehensive study of all the relevant aspects and submit a Report within six months. The Court also directed CBRI, Roorkee to give their expert opinion on how to restore the structural integrity to repair the cracks and generally ensure that no damage in future is caused to the structural integrity.** The relevant extracts of the Order are quoted hereunder for ready reference:

"2. Mr. Harish N. Salve, learned senior counsel for the petitioner in S.L.P. (C) No. 21211 of 2012 has given his suggestions in writing. Inter alia, he has suggested that it is necessary to commission a study by the CBRI into the following issues:

- (a) Whether blasting including the Cumulative effect of blasting beyond a specified distance has any impact whatsoever upon the structure of the fort?
- (b) What appeared to be, in their expert opinion, the causes that have led to cracks and other damage caused to the fort, other than ageing simplicitor?
- (c) Whether the uncontrolled access to tourists has any adverse impact upon the structure and if so, any suggested steps to regulate this activity.

- (d) Whether the activities within the colony situated in the fort itself as well as the flow of traffic including heavy traffic in the vicinity of the fort have any adverse consequences upon the structural integrity of the fort, and if so, the suggested measures to deal with this problem.
3. Mr. Harish N. Salve also suggested that CBRI may be requested to generally recommend what steps in their opinion should be taken to restore the structural integrity to repair the cracks and generally ensure that no damage in future is caused to the structural integrity.
  4. Ms. Aishwarya Bhati, learned counsel for the respondent Nos. 1 to 6 in S.L. P. (C) No. 21211 of 2012 has also given some suggestions in her letter dated 10.9.2013 to M/s. Parekh & Co. - advocate(s) for the petitioner. **She submits that now since Comprehensive study is to be made by CBRI it may also undertake a comprehensive environmental impact assessment covering all kinds of pollution air, ground water, visual noise etc. by the complete cycle of mining activities including its transportation.**
  5. Learned senior counsel and counsel for the parties were ad idem that CBRI may be requested to undertake a comprehensive study of all the aspects, as noted in their report of May, 2013 and the above suggestions of Mr. Harish N. Salve and Ms. Aishwarya Bhati.
  6. **We, accordingly, request the CBRI to undertake a comprehensive study of all relevant aspects and facets as noted above. The CBRI may submit its report within six months from today.** The entire expenditure of CBRI shall be borne by the petitioner - Birla Corporation Limited in S.L.P. (C) No. 21211 of 2012.
  7. We clarify that the petitioner - Birla Corporation Limited shall make the payment to CBRI within 10 days of receipt of demand (towards expenses) that may be made by CBRI. List the matter after six months. "

[Emphasis Supplied]

A copy of the order dated 23.09.2013 passed by the Hon'ble Supreme Court is annexed herewith and marked as Annexure-E.

**Note 1:-** The Hon'ble Supreme Court vide the order dated 23.09.2013 had already directed CBRI, Roorkee "to undertake a comprehensive environmental impact assessment covering all kinds of pollution- air, ground water, visual noise etc. by the complete cycle of mining activities including its transportation."

**Note 2:** The scope of the proceedings were enlarged by the Hon'ble Supreme Court and the matter pending before it covers not just the impact of the mining activity on the Chittorgarh Fort but also the environmental impact of the mining activities.

- e. **The CBRI, Roorkee submitted its Final Report in September, 2014** in which it has inter alia mentioned that the mining operations in the Applicant's mine are being carried out in the most scientific manner. The relevant extracts from the report are set out below for ready reference: -

"..The mine is developed scientifically in compliance with the statutory requirement of the regulatory bodies of the country.

Drilling and blasting operation in mines is carried out in scientific manner with due blasting safety precautions. Every operation is accompanied by the siren system for taking clearance before and after each blast. Whole blasting operation is supervised by a DGMS (Directorate General of Mines Safety) certifying a competent person."

**Note 1:** -Broadly the CBRI Report is divided into three parts, viz.:

- a. Geology of the Area
- b. Structural and Physical Studies
- c. Environmental Impact Assessment

**Note 2:** -The Environmental Impact Assessment conducted by CBRI runs into over 75 pages and thus forms a significant part of the study undertaken by the body

**Note 3:** - The Report, in addition to identifying issues identified during the study of the factors causing damage to the fort and the local environment of Chittorgarh, also provides suggestions and remedial solutions of the issues, which were assessed by the data collected from the environmental impact evaluations and base in line data. The Environmental Management Plan (hereinafter referred to as "EMP") takes into account the existing account scenario of the future scenario due to industrial activities. The EMP has prescribed environmental monitoring and implementation of environmental protection measures during and after mining operations.

- f. That on 24.11.2014, the counsel appearing for the Respondent No. 1 to 6 in the SLP, sought liberty of the Hon'ble Supreme Court to file objections to the Report. The same was granted by the Hon'ble Supreme Court.

A copy of the order dated 24.11.2014 passed by the Hon'ble Supreme Court is annexed herewith and marked as Annexure-F.

- g. **The Respondents No. 1 to 6 in the said matter filed their objections to the Report in December, 2014 and the Respondent No. herein also filed their reply to the objections raised by the Respondent No. 1 to 6.**

**Note:-**The same is pending consideration before the Hon'ble Supreme Court of India.

- h. Thereafter, on 31.03.2015, the counsel appearing for the Respondent No. 1 to 6 informed the court that she would like to find out a competent agency in the country to carry out a study of the impact of mining other than the agencies who have prepared a report. The Hon'ble Supreme Court was pleased to adjourn the matter to 07.04.2015 and directed the counsel appearing for the Respondent No. 1 to 6 to provide full details of the agency.

A copy of the order dated 31.03.2015 passed by the Hon'ble Supreme Court is annexed herewith and marked as **Annexure-G**.

- i. That on 07.04.2015, the counsel appearing for the Respondent No. 1 to 6 informed the Hon'ble Supreme Court that "**she cannot suggest any alternative agency to carry out a study of the impact of mining other than the agencies who have prepared the report.**" However, she sought liberty of the Hon'ble Court to make some comments about the report. The same was allowed and the matter was adjourned to 21.04.2015."

13. It is further stated:-

"19. When the final report was submitted by CBRI, which took almost 2 years to undertake a comprehensive study, the Respondent No.1 to 6 in the SLP raised questions regarding the very competence of the CBRI and the credibility of the Report. That the Respondent Nos. 1 to 6 questioned the competency of a prestigious body such as the Central Building Research Institute, Roorkee (CBRI) for the first time and that too at such a belated stage i.e. after the submission of the comprehensive report. The Respondent No.5 herein, who was the petitioner in the said SLP, filed its reply to the objection raised by the Respondent No.1 to 6. Both the objections to the CBRI Report and the Reply to the Objection to the CBRI Report are annexed with this Affidavit, however, without going into the merits of the said documents, **the Respondent No.5 submits that since the objections and reply to the objections are already pending before the Hon'ble Supreme Court, this Hon'ble Tribunal should not entertain the contention of the applicant in so far as the CBRI Report is concerned.**

21. As mentioned above, the CBRI, Roorkee was appointed by the Hon'ble Supreme Court pursuant to the suggestions of the Archaeological Survey of India alongwith the consensus of all the parties, vide its order dated 18.01.2013. The Hon'ble Court in its Order ordered as under:

"On the question of interim orders, we have heard learned counsel for the petitioners and the respondents at some length. It is evident from the impugned order that the main issue before the High Court pertained to the impact of blasting operations in the periphery of Chittorgarh fort. Hence, the question of a complete ban on mining operations around the fort, even without involving blasting, has not been examined. The parties are ad idem that before making final orders on the prayer for stay of the impugned directions, a report from an expert on the subject matter be called for. It is suggested that in the first instance, the Central Building Research Institute, Roorkee, may be asked to conduct a study of impact of mining on the said fort even without blasting operations and submit its interim report. In other words, an expert should evaluate the effect of mining in the fort area, with any kind of manual or electric gadgets, like surface scrappers, rock breakers, etc. We accede to the prayer and accordingly request the Director of the Said Institute to nominate an expert to undertake the said exercise and submit his report as expeditiously as possible. In any case, interim report shall be submitted within three weeks from today. It will be open to the said expert to consult or seek assistance of any other agency, as he may deem necessary."

22. It may further be noted the Respondent No.1 to 6 in the SLP, through their Advocate, had also give suggestions to this Hon'ble Court requesting CBRI, Roorkee to carry out the study on various aspects. This has also been observed in this Hon'ble Court's order dated 23.09.2013.

xxx .....xxx.....xxx

26. As mentioned in the aforesaid paragraphs, the CBRI Report is broadly divided into three parts:-

- a. Geology of the Area
- b. Structural and Physical Studies
- c. Environmental Impact Assessment

27. **The Environmental Impact Assessment conducted by CBRI runs into over 75 pages and thus forms a significant part of the study undertaken by the body. The Scope of Work undertaken by CBRI with respect of Environmental Studies is as under:-**

- (a) **"Air quality monitoring in and around 10 km of the fort during pre-monsoon and post-monsoon seasons in pre-blasting and post-blasting scenario.**
- (b) **Air quality modeling to assess dispersion of air pollutants from mining areas and transportation towards the fort.**
- (c) **Assessment of vehicular activities emission, traffic density, mining, transportation and modeling of vehicular emission.**
- (d) **Assessment of nocturnal and diurnal noise level.**

- (e) *Ground water level monitoring in and outside areas and fort area including surface water quality monitoring of Gambhira and Badeh rivers, ponds of the fort and around mining leases during pre-monsoon and post monsoon season.*
- (f) *Reconnaissance survey of the people living in the fort and their habitat, and impact of same on fort structures.*
- (g) *Collection of data on number of tourists during the peak and lean seasons including traffic density at the fort continuous seven days in peak tourist season.*
- (h) *Survey of flora and fauna and their impact on the health of the structure.*
- (i) *Impact prediction and suggestion on environmental control measures."*

28. *It is noteworthy that:*

- a. *The area of 10 kms of the fort fully encompasses the entire municipal area of Chittorgarh. Therefore, entire municipal area of Chittorgarh was covered in the above study.*
- b. *Water studies have been conducted in the mines area as well both the rivers that the applicant has alleged in its application as getting polluted is covered.*

XXX .....XXX.....XXX

33. *It is submitted that the Applicant, other than raising the contentions regarding Air, Water and Noise Pollution, has falsely raised the issues of land degradation and formation of sinkholes. It is submitted that the contentions so raised by the Applicant regarding the issue of land degradation is covered by the mining plan. It is submitted that in the MMDR Act there are separate provisions of reclamation of open cast mining and plantation etc. and the method of closure of mines forms part of the mining plan. Post closure the excavated pit may have varying utility, in some cases where backfilling is possible, land use can be made as per requirement. It may be planted, or can be converted into grassland/agriculture land. Since, in the case of Respondent No. 5's mining pits, the availability of waste material for backfilling was meager, it was converted into water reservoir with a water holding capacity of around 80 million cubic metres. It is submitted that the conversion of excavated pit into water Reservoir (by allowing rain water) has already been approved in the progressive Mine Closure Plan and therefore the contention of the Applicant is business.*

XXX .....XXX.....XXX

35. *Further, it is submitted that the Applicant has raised the issue of sinkhole formation in the area. It is submitted that a sinkhole is a*

*natural erosion of Florida's Limestone terrain that occurs over thousands of years. Sinkhole is created by effect of severally wet winter which raises the water table. This is not the case in Rajasthan. Sinkholes are created in slightly acidic water. It is basically found in South Eastern United States between the Atlantic and Gulf of Mexico. Whereas the cement grade limestone is entirely different mineral in comparison to Florida Limestone. Further, it may be noted that the entire area has been drilled at a close interval and no sinkhole/cavity has ever been detected in the 60 years of mining. It is submitted that the issue raised by the Applicant is imaginary, factually incorrect and irrelevant with the sole intent to prejudice this Tribunal. This shows that the Applicant is only trying to delay the resumption of normal mining operations of Birla Corporation Ltd.*

xxx .....xxx.....xxx

37. *It is submitted that the Hon'ble Tribunal had vide its order dated 03.07.2017 directed the District Collector to ensure that no blasting activity is done in the areas referred to in the Original Application and had also directed the Government of Rajasthan to take necessary steps in this regard. That pursuant to the said order, a team of 7 Officers was constituted to look into the matter by the District Collector on 10.07.2017. That various inspections were carried out by the team and the following reports from various departments were submitted:*

- i. Joint inspection report submitted by the Mining Engineer, Chittorgarh, Deputy Superintendent of Police, Chittorgarh and Sub Divisional Magistrate, Chittorgarh on 10.07.2017.*
- ii. Report dated 19.07.2017 by Office of the Additional Superintendent of Police, Chittorgarh also submitted a report within 19.07.2017.*

*The aforesaid reports are annexed as Annexure RA-4 and RA-5 with the additional affidavit filed on behalf of respondent no. 1, 3 and 4 in the month of August, 2017.*

xxx .....xxx.....xxx

48. *The averments and allegations mentioned in para 8, 9 and 12 are wrong and denied. A detailed chart giving point-wise reply to the issues raised in public hearing, which was submitted to the Ministry of Environment Forest and Climate Change (hereinafter referred to as "MoEF&CC") is annexed herewith and marked as Annexure I. The contents thereof are not repeated herein for the sake of brevity.*

- i. However, it is submitted that as a part of the process of grant of Environmental Clearance (EC), the recordings of public hearings together with the response of the Applicant are submitted to MoEF for its perusal, which takes the same into consideration while grant of the EC. Since the process of grant of EC is in the domain of Central Government and not the State Government, in*

any case the isolated event of corruption of a State Government Official does not have any relevance whatsoever in the present application. The Applicant is deliberately trying to mislead the bench by citing irrelevant events which do not have any bearing in the present application. It is submitted that the submissions made by the company in regard to various issues raised during public hearings is corroborated by the findings of CBRI in its report, following its long-term study on Environment Impact Assessment.

- ii. It is submitted that governments made by the applicant in paragraph 9 are completely false and unfounded. There are no health hazards related to limestone mining as being made out. **The answering respondent has been mining for the past 50 years and no such cases of health issues due to contamination of water with limestone have ever been reported. Staff and workers work in the mines on a continuous basis but no one has ever been affected by any of the ailments being alleged by the applicant. In fact, the answering respondent as part of its CSR activities, carries out Medical health check up in the vicinity on a regular basis during which no such instances have been witnessed. It is submitted that the answering respondent maintains zero discharge, i.e., there is no water contamination/pollution due to mining activities. The drinking water is being supplied to Chittorgarh City through the Rajasthan State PHED from the old Bherda limestone pit.**

The river is passing through the mining lease area but not through the present working pit.

- iii. It may be noted that the water deposited in the mining pits is portable and the same is borne out by the fact that the water from Bherda mines is supplied to the Chittorgarh City. The water so supplied is safe for drinking purpose is also confirmed in paragraph X of the additional affidavit date filed by the state government. The PHED/Government of Rajasthan closely monitors the water quality and till date nothing has been reported any kind of adverse effect of any residence of the Chittorgarh City. A water quality report is attached as to the additional affidavit filed by the state government as annexure R8 at page no. 61. It is submitted that the authenticity and veracity of the map produced by the applicant needs to be ascertained.
- iv. Further the prayer of the applicant in para 12 for relocation of mining lease is legally untenable. The applicant has failed to show that under which provision of law this relief may be granted. It is pertinent to mention that the respondent number 5 is not in violation of any of the act applicable to the mining operations in the State of Rajasthan. It is submitted that if the relief to asked is granted the same will be in derogation of the rights guaranteed under the constitution of India and other statutes and would cause grave and irreparable injury to the respondent no. 5.

49. The contents of para 10 are wrong and denied. It is submitted that the RSPCB vide its order dated 23.06.2016 has already granted consent to respondent no. 5 to operate under Section 21(4) of the Air Act, and section 25 and 26 of the Water Act for carrying out mining operations in the Bherda mines from 23.06.2016 to 31.05.2019. The map as provided by the applicant is incorrect and the map showing the actual distance of the mines from water bodies and adjoining forests and sanctuary area is annexed hereto and marked as Annexure M (colly).

Additionally, it is submitted that there is no water entering to natural stream from the mines site. Rather the water collected in the mines is rainwater harvested which is gainful utilized including supply to Chittorgarh City as mentioned above.

50. The averments and allegations mentioned in Para 11 are wrong and denied. The contents of Preliminary submission may be read as a part of the reply to Para 11. It is further submitted that the reliance placed on Section 32 of the Wildlife Protection Act, 1972 is erroneous and misplaced. Section 32 reads as "32 Ban on use of injurious substances. No person shall use, in a sanctuary, chemicals, explosives or any other substances which may cause injury to, or endanger, any wild life in such sanctuary."

**A bare perusal of the Section suggests that the same will be applicable where chemicals, explosives or any other substances which may cause injury to, or endanger, any wild life in such sanctuary are used within the boundary of sanctuary. In the instant case, the Respondent No.5's mine is located at a distance of 8.3 km from the sanctuary area in accordance with the applicable law.**

Further, it is submitted that there is no report/ complaint against the Respondent No. 5 that it has violated the provisions of the Wildlife Protection Act, 1972 in general and Section 35 in particular.

In fact, report published in the new paper Rajasthan Patrika, and Dainik Bhaskar, both dated 23<sup>rd</sup> February, 2018 states that there has been an increase in wild life specifically 'Panther' in the Bassi Wild Life Sanctuary. Both of above newspaper states the confirmation of the fact by the District Forest Officer, Chittorgarh.

A copy of relevant paper cutting of newspaper Rajasthan patrika, and 'Dainik Bhaskar' dated 23<sup>rd</sup> February, 2018 are annexed hereto and marked as Annexure-N.

A copy of acknowledgment of application made by the Respondent No.5 from the National Board for Wild Life (NBWL) annexed hereto ad marked as Annexure-O

Further it would not be out of place to mention that the answering Respondent carried out bio diversity study in the core zone and buffer zone and it is observed that the biodiversity index is not affected I the core zone as well as buffer zone. It is submitted that the company has not5 violated the National Forest Policy, 1988; rather, the company is in favour of carrying out wildlife conservation plan of worth 225 lacs in consultation with district forest authority."

14. The stand of the Chittorgarh Patthar Utpadak Sewa Samiti, District Chittorgarh is that the mining is undertaken after requisite permissions. There were 570 plots where license has been granted by the Government to carry out mining activities and more than 5000 workers are engaged in the mining of Limestone Khanda Farsi and in all these units, mining operation are being conducted strictly in compliance of the statutory rules after obtaining permission from the Government. As per report filed by the Central Building Research Institute, Roorkee no adverse impact on mining has been found.

15. We note that the applicant has filed rejoinders to the Affidavits filed by the State as well as the miners.

**Filing of consolidated submissions by the applicant**

16. In view of the fact that as against the averments in the original application, the applicant has raised certain issues by way of rejoinders, we asked learned counsel for the applicant to file a consolidated statement from which issues raised can be understood. He has filed written submission during the course of the hearing as follows:-

*“2. Major mining lease of Chittorgarh is over 4360 hectares with production of Limestone in excess of 11221720 tons each year, the minor mineral lease area is 260 hectares with production of over 5200000 tons annually-all through open cast mines.*

*3. In fact it is the admitted position of the State that over 587 mines operating within municipal limits of the City, with a 588 hectare open cast mine of R5 operating within 2 kms of the City.*

*4. These mines use blasting illegally at night, use Heavy Earth breaking and moving machinery like Jack Hammers, earth movers, bull dozers, Heavy haul trucks in very large numbers-all operating on Diesel and adding to the pollution of the City without any checks.*

*5. This is a clear case of the economic interest of a few being allowed to highjack the health of lakhs of people and causing irreparable damage to the flora and fauna of the area, and adversely effecting tourism in the area.*

6. On page 1723 of the reply affidavit of the applicant to the affidavit of director department of mines and geology, Govt. of Rajasthan filed on 06/11/2019, the Director of Mines is on record and validates the stand of the applicants that blasting has been going on despite orders of the Hon. Supreme Court and Hon. NGT, wherein they have found evidence and cancelled the licenses of 5 miners.

7. The govt has further put on record that are 165 operators do not have a valid licence to operate. This figure contradicts the figures given in the reply filed by the pollution control board filed on 20/08/2017 in which the state of Rajasthan has deposed that there are 587 mines out of which 371 have the consent to operate and 2 have been refused the consent to operate, and 214 mines have not applied for renewal, and thus the Govt of Rajasthan is indulging in selective reporting , and is shying away from producing the accurate records regarding mines, licenses, consent to operate, actual pollution statistics, public hearing reports and wild life approvals given for all mining operations in the area.

8. This is clearly made out as the Department of mines and Geology in their affidavit have only provided data pertinent to the Manpura area of Chittorgarh, and have not deliberately shown the status of the entire area in and around Chittorgarh and Bassi wildlife sanctuary in a 10 -15 Km radius-not only in Manpura.

9. On page 1672 in para 5, the mining engineers have reported issuing consent to operate in the years 2017, 2018, 2019 instead of taking action against mines that did not have consent to operate before the dates but were operating without it. Further, in Annexure 3, the respondents Department of mines and Geology shows that 400 mines/queries on the list have received environmental clearance on 23/06/2016 thus this clearly shows that mines were operating without any Environmental clearance since 1971 !!

Further, Annexure 4 of the same reply from page 1689 to 1695 shows that 165 listed operators had valid consent to operate till 2005, so in essence they have operated from 2005 to 2019 without any action taken by the respondents against them in the last 14 years !!

10. The City and the district of Chittorgarh has 8 rivers flowing through it, 2-Bedach and Gambhiri rivers flow through and adjoining the City, with mines (including R5) adjoining the river and polluted water is being discharged in the rivers, polluting them as per the testimony of the villagers in a public hearing report annexed as RA 8 (page 109 to 191) in the Rejoinder Affidavit of the applicant. This is violation of water prevention and control of pollution act 1974, section 24(1), which reads as No person shall cause or permit any poisonous or noxious polluting matter to enter any stream, well, sewer or land.

11. In fact, Limestone mixes with water to form Calcium Hydroxide, which is corrosive to eyes and skin, bums the lining of the human tissues and organs, and causes serious digestive

issues, and is used as a pesticide and fungicide in EU countries. Limestone can be inhaled as dust, or through water injection. Reports and details are enclosed on page 84 to 86 of the rejoinder affidavit of the applicants.

12. The City and district is also in the grip of a mining mafia, who are in collusion with all authorities in the City/district and threaten and file FIR's and cases against Local residents if they complain of the pollution and its adverse impact. They scare people from attending any public hearings (pages 105-108) even the Area Pollution control officer and Senior vice president of the Birla Corporation have been named in these FIR's.

13. In fact, the Principle Secretary mines of the Raj. Govt, along with other govt officials was arrested and undergoing trial for granting approvals and consent to operate to 100 illegal mines operating in the area. He was also jailed after recovery of over Rs. 4 Crores (pages 97 to 105) Many of the mafia are known to have links with the underworld.

14. The public hearing documents (annexed by the applicants in their rejoinder affidavit to RI to R5 from pages 109 to 191) of Birla mine expansion of 588 hectare mine next to City held at village Jai expose the misinformation being spread by the respondents and reflect the pain and suffering of the residents through the testimonies of over 100 people who attended and gave feedback in the public hearing.

The key complaints made are :

- A). Blasting has led to cracks and damages to houses of villagers and people living in the vicinity.
- B). Lands have been acquired and also illegally captured from the villages
- C). There is a serious issue of air pollution with huge amounts of dust falling on the adjoining area, leading to skin and respiratory diseases.
- D). Water from mines is being released in the river leading to pollution of the river. No water is being shared with the villagers for agriculture.
- E). People have been rendered jobless as their lands have been taken for mining, but they have not been rehabilitated or provided with jobs, due to this, mass exodus from villages has happened, only a small population are left behind, mostly old and infirm.
- F). There is a lot of damage to the agriculture as fields and crops are affected due to pollution, discharge of dirty water.
- G). Water table in the area has gone down.
- H). Wild life, flora and fauna of the area are facing damage and destruction due to rampant mining.
- I). No CSR activity is being done by the Respondents in the area.
- J). No trees are being planted as required. Where planted, the number is very low, the failure rate is 80% for the plantations done so far.

- K). *There is a lot of noise pollution in the area.*
- L). *Dust clouds cover the entire area.*
- M). *Grazing lands have been illegally taken over and crushers are running on them. In fact, this question has also been raised in the state assembly, and the concerned ministers have admitted that grazing lands have been illegally acquired and is a concern.*
- N). *Authorities are hand and glove with the miners, and despite frequent complaints nothing is being done.*
- O). *If there is no action on the complaints, villagers would be forced to agitate at a large scale to get attention of the state and national attention to their issues and difficulties.*

*In fact, its not wrong to state that years of neglect and suffering faced by the people of the area has led to filing of this petition as all their pleadings before local authorities have fallen on deaf ears and no relief has ever come to them.*

15. *Its an admitted position of R5 Birla Corp (pages 118 to 126) that their open cast mines are 2 kms from City, two rivers flow in between their mining blocks, distance from a world heritage site is 0.8 KMS, reserve forest is between 0.65 km to 3 kms.*

16. *Despite requests, Pollution Control Board and Dept of Mines has not provided information on the size of mining area in and around the City (within 10- 15 kms of the City) — thus why should this mining area not be considered as a Category A Project, and why the 587 mines operating in close proximity to each other would not qualify to be a cluster situation? Nor have they submitted any maps showing all the mining in and around the City where these 587 mines operate, neither have they submitted public hearing details for this mining despite multiple observations by the bench and as requested by the applicants.*

17. *The government is also silent on the issue of consent to operate to over 100 mines due to which the state's Principle Secretary mines was arrested in 2016 along with other mining and other state officials with over RS. 4 crores recovered from his house. The Gout has not disclosed if any large-scale investigation has been done to check validity of all the mining leases issued in the area. This amounts to their admission of the large-scale corruption happening in Chittorgarh mining.*

18. *The state government admits that it has found evidence of blasting, and has cancelled permits, after swearing on affidavit that no blasting happens in Chittorgarh mines.*

19. *The State pollution Control Board in compliance of the order of this court dated 30/01/2018 filed a pollution report which is an eye wash and an attempt to mislead this Hon. Court as it has not measured PM<sub>2.5</sub>, the main pollutant of Air, recorded data from only three places away from affected areas of the City, and also did not*

record Ozone, Lead, Arsenic, Nickle and Chromium — which are part of the National Ambient Air Quality Standards of the Central Pollution Control Board (enclosed at pages 943 to 945), the report also does not mention the measurement scale and permissible limits of each pollutant thus misleading the court. In fact, this report confirms the submissions of the applicants and indicates high pollution, as almost all 8 hourly and overall average across the entire study period is failing miserably compared to both Indian and WHO standards. State of Global Air report (page 254) reports PM<sub>2.5</sub> to be the 5<sup>th</sup> highest contributor to human mortality with over 2.1 million cases across India and China, with over 90 lakh deaths in India. Details of the extract are on page 242. Mineral dust is a key component of PM<sub>2.5</sub>. per WHO.

20. State of Rajasthan's affidavit dated 01/07/2016 on pages 227, 228 and 229 extract on page 243 and 244, Ministry of Environment and Forests has granted the state of Rajasthan an exemption from public notice inviting objections and suggestions from people likely to be affected, and has allowed the state of Rajasthan to determine size of cluster as per local situation, thus doing away from classifying any project as a Category A or following guidelines for Cluster mining for licenses issued after 9th Sept 2013, thus contravening all laid down principles of Environment law like Public Trust Doctrine, Intergenerational Equity, Precautionary Principle, Sustainable Development and Polluter Pays, and the direction laid down in Dinesh Bothra VS State of Rajasthan, Deepak Kumar vs State of Haryana and Ors (SLP (C) 19628 — 19629 of 2009), EIA notifications 2006, and this court's judgement in Lokendra Kumar V/S State of Uttar Pradesh and are also against articles 21, 39(e) 47, 48A, 49 and 51.

21. The State of Rajasthan despite asking has not provided information on how many mines are exempted under public hearing guidelines; provide a list of Eco sensitive zones/Wildlife Sanctuaries as per the wildlife Conservation strategy 2002 of the National Board of Wildlife, provided any information on how many trucks and machines are operating supporting mining in and around Chittorgarh.

22. The State and none of the respondents have provided their approvals from the Standing Committee of Wildlife under section 3 (v) of environment protection Act 1986. R5 has only submitted copy of application made to the wild life clearance portal on 04/04/2016 at page 222, thus proving that they have been operating open cast mines over 588 hectares next to a wild life sanctuary without any center or state wildlife approvals from 1965 onwards ! Non submission of the wildlife approvals is an admission to no approvals being sought or provided but mining being allowed — this is a major lapse that must attract strict action through an order of this court, and the same is prayed for. In fact, in one of the media investigation reports, one of the wildlife officials is quoted as saying correct mining maps have never been submitted, hence no approvals have been provided so far!

23. *Neither the state or the miners have taken the risk of Sinkholes seriously and have dismissed all apprehensions expressed in this OA as imaginary and that sink holes only happen in USA, which is an incorrect fact and an attempt to mislead this court. Sinkholes commonly occur across the world in soil containing Limestone, where the land collapses due to erosion of subsoil limestone due to action of water. Meghalaya has some of the world's largest caves of limestone, and applicants have enclosed reports on pages 936 to 942, showing how sinkholes are suddenly threatening to swallow people and their villages and farms in Cuddapah district of Andhra Pradesh, a limestone mining rich area. It is the submission of the applicants that Chittorgarh is a ticking time bomb as regards Sinkholes caused due to rampant open cast limestone mining, and this risk cannot be ignored either by the state or miners as one can guarantee protection from it or take responsibility for any damage due to it. Thus precautionary principle may be invoked to protect the City and adjoining areas from possible harm by stopping all limestone mining in and around 10-15 kms of the City.*

24. *Against such overwhelming evidence, the respondents have chosen to duck the key contentions on merits by raising frivolous objections on maintainability of this OA, stating in each reply and affidavit that the issue at hand is covered under SLP (c) 21211 of 2012 before the Hon. Supreme Court in appeal against judgement of the Hon. High Court of Rajasthan in DB Civil Writ (PIL) No.6591 of 2011. Where the Hon. High Court was (pages 253 to 373) pleased to order as follows for the protection of the World Heritage monument of the Chittorgarh Fort:*

- a) *Ban mining and Blasting Operations around a 10 KM radius of the Fort.*
- b) *Fine of Rs. 5 Crore on miners who caused damage to the historic fort.*
- c) *Cancelled all mining leases within 10 KM radius of the fort.*

*The contention of the respondents that a report commissioned by Central Building Research Institute covers the subject matter of this OA.*

*Applicants reject this contention and respectfully submit the following:*

- a) *There is a serious conflict of interest, as substantial money was paid by R5 and other miners for it, and the purpose of the report was to audit the same concerns!*
- b) *The report acknowledges that only "test" blasts were conducted in order to not damage the fort-this cannot simulate reality of multiple simultaneous and uncontrolled blasting carried out prior to High court order and thus does not reflect reality.*

c) *The report is over 7 years old, and does not reflect the reality of pollution of today.*

d) *The report is titled "Report on Cumulative Effect of mine blasting operations on Chittorgarh fort, thus is only focused on the fort and immediate areas.*

f) *CBRI by their own admission on their website and in report describe their vision and mission as experts in Building Construction/Habitat planning, Building materials, Building Technology, Fire Engineering and disaster mitigation. Director of the institute on page 15 of the report mentions the institutes expertise as measuring distress to Heritage sites like the Taj Mahal and Qutab Minar. Therefore the applicants submit that CBRI are not the correct authority for determining pollution in and around the City, but an organization like NEERI would be. Therefore the applicants submit that the report of CBRI is irrelevant to the current OA, and pray that it may be set aside and declared irrelevant for this OA.*

g) *The applicants were not a party to the PIL before the Hon. Rajasthan High Court, nor a party to the SLP before the Hon. Supreme Court, and are thus not barred from raising an issue of heavy pollution in and around the City of Chittorgarh affecting its over 16 lakh population, and the flora and fauna of the area.*

h) *Further, in neither the prayers in the PIL before the Hon Rajasthan High Court, nor the judgement of the High Court, or the prayer before the Hon. Supreme Court is pollution taken as an issue, then how can any substantial relief on pollution be expected by the applicants, who are thus well within their rights to agitate this issue before this Hon. Court through this OA. It is therefore prayed that maintainability objections of the respondents be dismissed, and the OA be allowed in light of the overwhelming evidence provided by the applicants.*

i) *It is humbly submitted that even while maintaining that the CBRI report is irrelevant to this OA, the applicants wish to submit that the report is also defective on the following additional counts-it measures samples of Air and water only over 4 months-May, July, August Sept, the monsoon season when the pollution is at its least. Further the report does not comply with National Air Ambient Quality Standards as it does not measure all the laid down parameters, measuring only 4 against 11 identified pollutants to be measured as per the National Pollution Control Board Standards as well as international Standards. The report also takes incorrect standards thus under reporting pollution, and is liable to be set aside on this ground alone !*

j) *The report actually confirms high pollution as almost all samples measured of PM<sub>2.5</sub>, PM<sub>10</sub>, NO<sub>2</sub>, are failing. Further it does not show standards and units for Conductivity and Alkalinity though both fail ! Dissolved oxygen samples fail, and report indicates High Pollution*

both in Air as well as water! The report only nails the truth that the respondents have tried so hard to hide. The report indicates heavy pollution both of Air and Water standards at pages 133, 141, 143, of the CBRI report.

25. In compliance of the order dt. 12.08.2018 the Surveyor General of India filed a report on 20.02.2019. However, the report was merely a Lip service hence the Hon'ble Tribunal yet again directed the Additional Surveyor General to file a complete updated report vide its order dt. 08.03.2019. It is notable that final report was filed on 22.07.2019 i.e., after a delay of almost 10 years (Copy of the report at Page no. 1251-1540). The highlights of this report are as follows:-

- A) It validates the stand of the applicant as 707 ha. of mining within the municipal area of Chittorgarh as well as within the Bassi Wildlife Sanctuary.
- B) Large scale mining around and outside within a 10 km radius of the City-This is a significant contributor to the air pollution in the City.
- C) The report details that how the mines are adjoining to the forest and is in violation of environmental laws.
- D) The report refers the River Gambhiri which flows at the foothill of the Chittorgarh Fort (World Heritage Site)- is heavily polluted and has been referred to as a NALA.

26. The report of the surveyor general while trying to cover up the illegality by filing vague maps with no clear legend, no clearly marked Eco Sensitive zones has made a complete mockery of the orders of this court, some of which are highlighted in the Rejoinder affidavit by the Applicant to the Surveyor General India report Pg. No. 1554-1587.

- a) On page 1254 point c the word "Pit used in this report, invariably means man-made excavation of different sizes and shapes but these pits may not necessarily be mines"- thereby completely destroying any credibility that this report may have, as lot of the pits shown in the report could very well be open limestone mines which due to natural or man-made reasons have gotten filled with water which is highly corrosive and extremely unfit for consumption or any form of agriculture (herein public hearing report from pg.109-191 are imp. as the same entails the grievances of the residents).
- b) On page 1253 of the report, it is stated that no observation or comments were received through the council for the extent of the areas to be surveyed for mining/excavated areas. It implies Survey General was himself unsure of the area to be surveyed, if that was the case why was this not clarified from the court? And how they have determined the area to be surveyed otherwise?
- c) On page 1255 (point j & k) survey around Bassi Wildlife sanctuary was not carried out by drones but only by satellite imagery. It is contrary to the direction that use of drones be done while doing the survey. Hence it defeats the purpose of the survey itself. Further the report fails to mention what kind of drone was actually used during the survey.

- d) Surprisingly, despite the presence of ground teams who visited the sites- the report fails to clearly identify any of the mines from the pits. Hence the purpose of the report is redundant as the report was meant to verify the stand of State Pollution Control Board regarding there being 587 quarries in the area out of which only 371 has valid consent.
- e) The maps annexed with the report are without any proper key and no explanation of the maps has been provided thus the maps are incomprehensible and even the scale provided with the map is confusing. It is better that the Surveyor General or any other authorized person explains this report. (Para 7 Pg. No. 1560).
- f) Mapping of the Bassi wildlife sanctuary at Map A2 on page 1267 cannot be found (Para 8 Pg. No.1561)
- g) Eco-sensitive zones are not shown to be eco-sensitive zones and hence not clear.
- h) Municipal limit is not clear (Para 10 Pg No. 1561-1562)
- i) Pits 64, 68, 69, 70, 71, 72, 74, 75, & 81 are close to the inhabited areas like Jai, Surjana, Dhordia, Mannpura, Chittori etc.
- j) The mine operated by respondent no.5 is an open cast mine running into 588 ha. Within 2 km of the City and this is not shown in the report itself.
- k) It is notable that 587 mine operating within the municipal limits, of which only 371 have a valid consent. Therefore, the report should carry out details of all these mines and the report not tallying with the Government of Rajasthan points to a potential serious violation and shielding the illegal mining area (mine 68, 69 & 86 seems to be the mines of Respondent no. 5 and close to City Chanderia which is a highly populated City).
- l) Pits 120 and 121 are shown outside the area without clarifying there distance and area.
- m) Pits 68, 69, 37, 86, 18 & 51 etc. are open cast mine operating next to the river.
- n) Map A3 on Pg No. 1262 shows mining inside the forest sanctuary.
- o) Bassi Wildlife Sanctuary and eco-sensitive zone not clearly marked.
- p) There are pits left unnumbered those are inside the Bassi Wildlife Sanctuary.
- q) The report furnishes evidence of total 168 mines whereas Government of Rajasthan has on affidavit admitted to 587 mines within municipal limits and a 588 ha. open cast mine operating within the limits.
- r) Pit 102 to 117, 155 to 161 are the mines which are shown adjoining to the reserved forest area. Thus, an adverse impact on the eco system. Further, this is in absolute congruence of the maps furnished by the Applicants.
- s) The report in its incompleteness is still able to highlight the minings happening adjoining to the river, untreated effluents being discharged in the rivers and the same is substantiated by the CBRI report filed by the respondents (Pg. No. 84 to 86 of the O.A. shows how limestone mixes with water to form calcium hydroxide) (Pg No. 939-942 open cast limestone has a huge risk of sink holes in and around the City of Chittorgarh)

27. The report clearly proves the point being made by the applicants about the huge amount of open cast mining happening in and around a 10 km radius of the City, and in and around the Bassi

wildlife sanctuary which is heavily polluting the air, water, land, and is in complete contravention to all existing pollution and wildlife laws. The irreparable damage to the wildlife, Agriculture, plant life, water table, and the rest of sinkholes; is thus clearly made out. There is also irreparable damage being done to the health of the lakhs of people living in the area who are forced to breathe in the polluted air, and drink polluted water — this is being brought out in the public hearing report annexed in the rejoinder of the applicants at pages 109 to 191.

28. It is notable that despite asking for it, the State pollution control board has not submitted any public hearing reports for any of the mines or mining leases.

29. The Rajasthan government has been granted an exception from MOEF that allows them to categorize mines locally at a district level, and also an exemption from conducting public hearing—both are against all settled environmental law — as no one can then oppose any mining even if it is illegal, harmful to the environment and ecology and health of the local citizens. This is a draconian measure that needs to be set aside, and has been challenged by the applicant through this O.A.

30. In light of the failed submissions of the government and other respondents, the O.A. maybe allowed, and a strong order banning mining in the entire City, as well as a 10-15 km radius of the City maybe passed.”

#### **Procedural History of proceedings before the Tribunal**

17. The application was filed on 08.06.2017. Notice was issued on 09.06.2017. Original parties to the application are the Department of Mining, Rajasthan, State PCB, Health Department, Rajasthan and District Collector, Chittorgarh. On 03.07.2017, the Tribunal noted the statement made on behalf of the State of Rajasthan about the steps taken in the matter as follows:-

“1. That there is a ban on blasting of mining activity within 1 km from the river and the Municipal limits.

2. Beyond 1 km upto 2 km no heavy machinery is permitted to be used if there is valid legal mining. Beyond 2 km mining activity is permitted but without blasting.

3. The Supreme Court of India is presently seized of the same issue as raised in case no. Special Leave to appeal (Civil) No. 21211/2012 dated 29.07.2013 in which interim order to the above effect have been passed.

4. *The State has constituted a High Level Committee which is likely to sit in session today and take a pragmatic view and direct steps required to be taken necessity for banning blasting and mining activity in the entire area, whichever is referred to in the application. The State of Rajasthan is keen to enforce the order to prevent blasting in the eco-sensitive zone, sanctuaries and also the municipal limits and in this regard decisions are likely to be taken shortly. He seeks reasonable time to be given to Rajasthan to place submissions on the above aspects.*

*However, he submits that as of now no blasting is permitted and/or being carried out within 1 km from the municipal limits or sanctuaries as alleged by the Applicant.*

*The Ld. Counsel for the Applicant refuting these submissions, submits that the blasting activity is erratic and not at a particular time. In the Middle of night blasting is making life of the people miserable living in the area in question.*

***The Matter which is pending in the Supreme Court deals only with issues related to protection of a monument. Whereas, in this case several other environmental issues are raised for adjudication and therefore, an independent adjudication of this application is necessary.***

*We have taken note of submission of Learned Additional Advocate General and the Counsel for the Applicant. Needless to observe that both seem to be in agreement that there shall be no blasting activity in area which is at least within 1 km of municipal limit and the sanctuaries therefore, whatever be the stand of the State Government it shall ensure protection of environment.*

*Hence, we feel that in the given circumstance, interim direction could be issued to the District Collector concerned to ensure that no blasting activity is done in the areas referred to in applications subject to further orders that we may pass after receiving response by the State Government and other response in this regard.”*

18. Vide order dated 27.07.2017, M/s Birla Corporation, Chittorgarh was impleaded as party and vide order dated 24.08.2017, Chittorgarh Patthar Udpadak Sewa Samiti, District Chittorgarh was added as a party, as the said parties are affected by the relief sought in the application to ban illegal mining activity. Vide order dated 31.08.2018, the Tribunal directed Surveyor General of Survey of India, Dehradun to measure the area of mining in and around Chittorgarh City. Vide order dated 08.03.2019, the Tribunal directed stopping of mining activities within Municipal limit of Chittorgarh City and within 10 Kms of Bassi Wildlife

Sanctuary or within Eco-Sensitive Zone of Bassi Wildlife Sanctuary, if finally notified. The said order was reiterated vide order dated 24.04.2019 in Review Application No. 30/2019. The said two orders are subject matter of consideration before the Hon'ble Supreme Court in Civil Appeal Nos. 5757/2019, *Department of Mines and Geology & Ors. v. Pratap Bhanu Singh Shekhawat* and 2216/2021, *Department of Mines and Geology & Ors. v. Pratap Bhanu Singh Shekhawat* respectively. There is, however, no interim order by the Hon'ble Supreme Court. Thus, interim order dated 8.3.2019 continues to remain in force. The Tribunal directed preparation of a report by the Surveyor General to ascertain the extent and location of mining using drones. The Tribunal noted that there were 587 quarries out of which 371 had valid consent. Vide order dated 06.09.2019, the Tribunal directed the State PCB to call for the record of 371 mines to which consent has been given and also mention steps taken against illegal mining. Vide order dated 11.10.2019, a statement was made on behalf of the State PCB that there were 410 mines with valid consent and 155 mines were closed which was in conflict with the earlier stand that 371 mines has valid consent and total mines were 587. Accordingly, Director of Mines was required to explain to anomaly about the number of mines and action taken against illegal mines. On 12.02.2020, the Tribunal was informed by the Director of Mining that 77 mines had been closed and 292 mines were operating in violation of interim order of the Tribunal dated 08.03.2019. The same were directed to be closed and compliance affidavit filed by the Additional Director. Vide last order dated 28.02.2020, the Additional Director of Mines was further required to file an affidavit in response to observation in the order dated 06.01.2020 and 22.01.2020. Order dated 06.01.2020 relates to the report being filed by the Collector instead of Mining Department and order dated 22.01.2020 relates to unauthorized constitution of a Committee by the Additional Director of Mining. In

pursuance of order dated 28.02.2020, Additional Director of Mines has filed an affidavit dated 20.03.2020 to the effect that difference in figures in the report of Surveyor General, report of Municipal Council Chittorgarh and report of the Department of Mines was the reason for constitution of a Committee. There was no mining within the Municipal limits or within 10 Kms. of Bassi Wildlife Sanctuary. 292 mines in Manpura which were shown to be within the Municipal limits in the report of Surveyor General had been closed down.

**Order of Rajasthan High Court dated 25.05.2012**

19. Reference to the order of the Rajasthan High Court dated 25.05.2012 against which the matter is pending in the Hon'ble Supreme Court shows that the issue considered therein is against blasting and mining which involved digging and use of heavy equipments within 10 kms. of the Chittorgarh Fort. The High Court noted that as per report of the Archaeological Survey of India, cracks had appeared to parts of the Fort due to mining activities and blasting. The High Court finally directed no mining activities and blasting shall take place within 10 kms from the fort wall. The mining leases granted within 10 kms from the Fort wall were cancelled. The Birla Cement as well as mine holders were directed to make payment of compensation to the tune of Rs. 5 crore (Five Crores only), out of which, 90% shall be paid by Birla Cement and the remaining amount shall be paid by other mine holder is involved in blasting. The amount of compensation shall be kept at the disposal of the Archaeological Survey of India (ASI) and be utilized for repair and upkeep of the Fort in question. The plan to repair damages and improve facilities was to be submitted to the High Court within four months. Some extracts from the order are:

“xxx .....xxx .....xxx

The question which arises for consideration is **whether damage has been caused to structures of Chittorgarh Fort, which is ancient monument of national importance, due to the mining activities and blasting done by Birla Cement and various other lease holders or damage to the ancient monument can be attributed to daily visit of about 2000 tourists to fort or wear and tear or natural occurrences such as earthquake, lightning, aging or lack of proper maintenance or shrubs and trees etc., as suggested by the learned counsel for respondent-Birla Cement.**

xxx .....xxx .....xxx

Thus, there is no denial that cracks have developed in the Vijay Stambha, Kirti Stambha and Kumbha Mahal and wall of Chittorgarh Fort after the decision of the previous writ application and there is also no denial that mirrors (tell-tales) have been found to be cracked.

xxx .....xxx .....xxx

**Thus, we have no hesitation to come to the conclusion that mirrors (tell-tale) were broken due to blasting as submitted by the petitioners and the fact has not been traversed by the respondents, rather has been admitted by Archaeological Survey of India.** There is no other way in which mirrors (tell-tale) could have broken; cracking of mirror is telling the truth and has strengthened the story that mining operations and blasting in the area in question have caused damage to the ancient monument 'Chittorgarh Fort', which ranks at par with any one of the world heritage monuments of India. **The Fort represents the quintessence of tribute to the nationalism, courage, medieval chivalry and sacrifice exhibited by the Mewar rulers of Sisodia and their kinsmen and women and children, between the 7<sup>th</sup> Century and 16<sup>th</sup> Century. Vijay Stambh is illuminated and looks all the more mesmerizing.** The Fort welcomes many a tourists around the world to its complex every year. Moreover, the history of this majestic fort makes the visit to this place more interesting. The magnificent monuments of this Fort are definitely worth spending some time in seclusion over the heroism of Mewar Rulers. This heritage Fort of Rajasthan is definitely a 'must-visit' place that cannot be afforded to miss. Thus, mining activities and blasting in the area in question causing damage to such ancient monument of national importance cannot be permitted.

xxx .....xxx .....xxx

Thus, it is apparent from the report of Geological Survey of India that **due to blasting at Jai Surjana mine, there was seismic vibrations recorded at the fort site.** It was also observed by GSI in its report that long term monitoring of the impact of blasting shall be made by providing tale tells across the minute cracks, if any, present on the fort structure.

xxx .....xxx .....xxx

## **6. CONCLUSIONS AND RECOMMENDATIONS**

**The area around Chittorgarh Fort in a radius of about 10 km was examined geotechnically to study the effects of blasts vibrations from the nearby mines to important national monument Chittorgarh Fort. The geotechnical studies carried out around Chittorgarh Fort and its vicinity in a radius of 10km have indicated that the fort is located over a sound foundation of thick bedded, hard, massive sandstone which is blocky in nature due to three sets of joints. This sandstone is underlain by soft, friable, incompetent shale rock forming the hill slopes. This rock unit below the competent cover may cause micro level settling owing to continuous vibrations, which may ultimately lead to instability in the slopes and settling of overlying competent rock mass. For protection of hill slopes it is suggested that mining activity should not be carried out in the vicinity of the hill slopes.**

*The geophysical studies have indicated that due to blasting at Jai-Surjana mines peak-to-peak amplitude values of recorded events vary between 5 mm to 38mm at the fort site, which is considered quite high.*

*Mining activity-using explosives if unavoidable, can be carried out by deploying technique of controlled blasting with continuous monitoring of the blasting schedule and ground vibration as specified by D.G.M.S so that hill slopes are not disturbed and vibration levels in the fort region remain within specified safe limit.*

*Long term monitoring (preferably for three years) for any possible impact of blasting on fort structure is recommend to be carried out. For this purpose tale tells may be provided across the minute cracks, if any, present on fort structure and its regular monthly monitoring may be done to study the behavior of cracks.*

**xxx .....xxx .....xxx**

*It is apparent from the aforesaid order passed by this Court that effect of mining operations was confined within 5 kms radius and blasting operations beyond 5 kms of the Fort wall, but within 10 kms. of the Fort wall and this Court directed continuous monitoring of mining operations particularly done by Birla Cement and fitting of mirrors (tell-tale) was also observed. However, further reports were submitted before this Court and the Division Bench has ultimately pass the order on 3.1.2007 by which it was observed that since 3 years continuous vigilance reports have not given any evidence that the blasting operation in the mine beyond 10 kms is having any adverse effect on the safety of the structure of Chittorgarh Fort, further reporting was dispense with.*

**xxx .....xxx .....xxx**

**In the instant case, there are cogent material available on record including expert opinion of GSI, report of ASI etc. filed in previous case and material placed on record in the present case, which show that blasting and mining operations have caused damage to the Fort structures. As regards report of IBM, it cannot be regarded as conclusive being not based on study of cumulative effect of blasting. Cracking mirrors (tell-tale) also strengthens the fact that blasting and mining operations have caused**

**The area around Chittorgarh Fort in a radius of about 10 km was examined geotechnically to study the effects of blasts vibrations from the nearby mines to important national monument Chittorgarh Fort. The geotechnical studies carried out around Chittorgarh Fort and its vicinity in a radius of 10km have indicated that the fort is located over a sound foundation of thick bedded, hard, massive sandstone which is blocky in nature due to three sets of joints. This sandstone is underlain by soft, friable, incompetent shale rock forming the hill slopes. This rock unit below the competent cover may cause micro level settling owing to continuous vibrations, which may ultimately lead to instability in the slopes and settling of overlying competent rock mass. For protection of hill slopes it is suggested that mining activity should not be carried out in the vicinity of the hill slopes.**

*The geophysical studies have indicated that due to blasting at Jai-Surjana mines peak-to-peak amplitude values of recorded events vary between 5 mm to 38mm at the fort site, which is considered quite high.*

*Mining activity-using explosives if unavoidable, can be carried out by deploying technique of controlled blasting with continuous monitoring of the blasting schedule and ground vibration as specified by D.G.M.S so that hill slopes are not disturbed and vibration levels in the fort region remain within specified safe limit.*

*Long term monitoring (preferably for three years) for any possible impact of blasting on fort structure is recommend to be carried out. For this purpose tale tells may be provided across the minute cracks, if any, present on fort structure and its regular monthly monitoring may be done to study the behavior of cracks.*

**xxx .....xxx .....xxx**

*It is apparent from the aforesaid order passed by this Court that effect of mining operations was confined within 5 kms radius and blasting operations beyond 5 kms of the Fort wall, but within 10 kms. of the Fort wall and this Court directed continuous monitoring of mining operations particularly done by Birla Cement and fitting of mirrors (tell-tale) was also observed. However, further reports were submitted before this Court and the Division Bench has ultimately pass the order on 3.1.2007 by which it was observed that since 3 years continuous vigilance reports have not given any evidence that the blasting operation in the mine beyond 10 kms is having any adverse effect on the safety of the structure of Chittorgarh Fort, further reporting was dispense with.*

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**In the instant case, there are cogent material available on record including expert opinion of GSI, report of ASI etc. filed in previous case and material placed on record in the present case, which show that blasting and mining operations have caused damage to the Fort structures. As regards report of IBM, it cannot be regarded as conclusive being not based on study of cumulative effect of blasting. Cracking mirrors (tell-tale) also strengthens the fact that blasting and mining operations have caused**

damage to the ancient monument. Hence, the above judgment of Apex Court is of no help to Birla Cement.

*In view of the discussion made above, the reckless mining activities and blasting have caused damage to the ancient monument of national importance, houses and crops and **have impact on ecology and environment which have overruled and thus, they should be put to grinding halt and should not be allowed within 10 kms from the fort wall. Thus, mining leases within 10 kms from the Fort wall are liable to be cancelled.***

*Under Article 51A(f) of the Constitution, every citizen is obliged to value and preserve the rich heritage and the lease-holders have failed to comply with such obligation and similarly, as per mandate of Article 49 of the Constitution, the State is under obligation to protect ancient monuments from spoliation, disfigurement, destruction, etc. which is failed to do so, rather allowed mining and blasting causing damage to ancient monuments and mining and blasting are also done in an illegal manner and thus time has come to direct them to comply with their constitutional obligations for preservation and restoration of the damages caused to the ancient monuments.*

*For causing severe damage to the fort structures including Vijay Stambh, Kirti Stambh and Kumbha Mahal and houses and affecting ecology and environment considering the polluter-pays principle, it is just and proper to direct Birla Cement and other mine holders to pay compensation for restoring back glory of ancient monument to the extent it is possible after damage. A lot of damage has also been caused in the area in question, let restoration and its reclamation be done as expeditiously as possible.*

*Accordingly, we make the interim order absolute and direct that no mining activities and blasting shall take place within 10 kms from the fort wall. The mining lease is granted within 10 kms from for wall are cancelled. The Birla Cement as well as mine holders are directed to make payment of compensation to the tune of Rs. 5 crore (Five Crores only), out of which, 90% shall be paid by Birla Cement and the remaining amount shall be paid by other mine holder is involved in blasting. The amount of compensation shall be kept at the disposal of the Archaeological Survey of India (ASI) and be utilized for repair and upkeep of the Fort in question. The plan to repair damages and improve facilities be submitted to this court within four months."*

#### **Proceedings in Supreme Court**

20. We have already noted the proceedings in the Hon'ble Supreme Court in SLP No. 21211 of 2012, in the course of noting the stand of the Birla Company in para 12 above. Vide order 29.7.2013, as against the order of the High Court, interim stay of mining is as follows:

- i. *There shall be no mining activity/operation of any sort and of any nature whatsoever from the Chittorgarh Fort wall upto 1 km*
- ii. *The mining operations between 1 km and 2 km from the Chittorgarh Fort wall may be permitted by using non-HEMM.*
- iii. *The mining operations beyond 2 km from the Chittorgarh Fort wall may be allowed by using HEMM."*

21. The relevant part of the subsequent order dated 23.09.2013 is as follows:

*"...She submits that now since Comprehensive study is to be made by CBRI it may also undertake a **comprehensive environmental impact assessment covering all kinds of pollution air, ground water, visual noise etc. by the complete cycle of mining activities including its transportation...***

*We, accordingly, request the CBRI to undertake a **comprehensive study of all relevant aspects and facets as noted above. The CBRI may submit its report within six months from today.***"

22. Thus, environmental impact by complete cycle of mining has also been taken up for consideration.

#### **Consideration of the matter by the Tribunal and directions**

23. Issues sought to be raised by the Applicant appear to be the following :

- (i) Legality of Mining adversely affecting Chittorgarh Fort and habitation in and around Chittorgarh.
- (ii) Legality of Mining adversely affecting Bassi Wild Life Sanctuary.
- (iii) Legality of Mining without requisite EC/Consents adversely affecting the rivers, in violation of environmental norms, including the air and water.
- (iv) Compensation and accountability for the illegal mining already conducted without requisite EC/consents.
- (v) Validity of notification dated 1.7.2016 issued by the MoEF&CC granting certain exemptions from EIA notification dated 14.9.2006.

24. We propose to take the above points seriatim. We heard learned Counsel for the applicant, learned Senior Counsel for the Birla Corporation and learned Counsel for the Association of miners. No other Counsel made any submission. While closing the hearing on 15.09.2021, we gave liberty to the parties to file written submissions. We have considered the submissions filed by the State of Rajasthan and the Birla Corporation. The same do not add anything to the pleadings already filed which have been referred to above.

**Re (i) : Legality of Mining adversely affecting Chittorgarh Fort and habitation in and around Chittorgarh**

25. The issue of legality of mining affecting the **Chittorgarh Fort** is expressly before the Hon'ble Supreme Court. There is interim order dated 29.7.2013 prohibiting mining in the manner mentioned therein. Additionally, this Tribunal vide order dated 8.3.2019 directed stopping of mining activities within Municipal limits of Chittorgarh City. The said order is reproduced below:

*"A very serious issue regarding pollution to the environment, particularly air pollution, affecting the residents of Chittorgarh City has been raised by the applicant in this case. It is mainly due to opencast mining. The population of Chittorgarh City is about 15 lakhs. The major mining lease area around Chittorgarh City is approximately 4600 ha. and the production is over 11.22 million tones per year and minor mineral mining area is 260 ha. with the production of over 5.2 million tones per year. The mining are scattered across the municipal limit of Chittorgarh City and many of them are extracting lime stone and other minerals within 15 kms. radius of the city center. Besides, district of Chittorgarh has a tremendous tourist potential because of the existence of a Fort of over 1500 years old and there are over 150 temples/monuments, many of which relate to Mahabhartar era. The rampant mining in this area is adversely affecting the tourism. The main cause of concern is because these minings are adversely affecting the health of the people who are living in and around the Chittorgarh City and numerous diseases relating to air pollution are found prevalent amongst residents.*

*It is also noteworthy that the State Pollution Control Board has very categorically stated that there are 587 quarries in the area out of which only 371 have valid consent.*

*After filing of this application in the year 2017, notices were issued on 09.06.2017. Looking to serious grievance raised by the applicant, the Tribunal had specifically addressed to certain circumstances during the proceedings and directed the State of Rajasthan to take immediate steps to redress the grievance raised in this applicant. Subsequently, people having interest in this case such as Chittorgarh Pathar Utpadak Sewa Samitti and some companies were also impleaded as party.*

*During these proceedings continuous grievance was being raised by the applicant that the situation at the site is deteriorating and living the conditions of the residents have become very pitiable. It is also submitted by the counsel for the applicant that these mining operations are also very close to Bassi Wildlife Sanctuary. After considering the facts and circumstances of the case, we thought it proper to direct the Surveyor General, Survey of India, Dehradun to assist in this matter by sending a report after deputing a team of concerning officials to inspect the site, particularly with regard to mining operations which are being done within the municipal limits, at the foothills of Chittorgarh Fort and in close proximity of Bassi Wildlife Sanctuary.*

*Despite of our sincere efforts, the matter is taking time and a persistent request is being made from the side of the applicant that life in Chittorgarh City is becoming difficult because of increasing pollution, particularly air pollution, caused due to mining operations. Mr. Naveen Tomar, Additional Surveyor General, Survey of India is present before us and he has assured that complete update report with regard to mining, present and of recent past, within the municipal limits and within 10 kms of the Bassi Wildlife Sanctuary and within the ECO Sensitive Zone, if finally notified, shall be submitted to the Tribunal at the earliest.*

***Having given our thoughtful consideration to the totality of the circumstances and the suffering which are being faced by the residents of the Chittorgarh City on account severe air pollution, we are of the considered opinion that it would be just and proper and in the interest of public at large, particularly those residing in the Chittorgarh City and the tourists who are visiting the historical heritage site of Chittorgarh Fort everyday, we direct the State Pollution Control Board; the Director, Mining Department, State of Rajasthan and Collector Chittorgarh to immediately stop all mining activities which are being carried on within the municipal limits of Chittorgarh City and within 10 kms of Bassi Wildlife Sanctuary or within Eco-Sensitive Zone of Bassi Wildlife Sanctuary, if finally notified. The District Collector, Chittorgarh shall be the nodal officer. It shall be the responsibilities of the said authority to ensure that this order is carried out/complied with in its letter and spirit, without any default whatsoever.***

*We direct the Surveyor General of India to complete the work assigned to them and submit a report, as early as possible.*

*We direct the Director General of Civil Aviation to consider the request made on behalf of Surveyor General of India for permission to fly drones for the purpose of preparing the report, as directed by the Tribunal. We sincerely hope and expect that such permission be granted to them on priority, looking to the seriousness and urgency of the matter, but not later than two weeks of the filing of the application by the Surveyor General of India. In the assignment given to the Surveyor General of India, we also request the Archeological Survey of India and all other concerning government authorities to cooperate with the Surveyor General of India with regard to preparation of the report.*

*A copy of this order be sent to the Director General of Civil Aviation, and the Director Archeological Survey of India through e-mail, forthwith.*

*List this part heard matter on 1st July, 2019."*

Against the said order, appeal is pending before Hon'ble Supreme Court and the said order has continued to be in operation. As per stand in the affidavit filed on behalf of the State of Rajasthan on 20.3.2020, referred to above in para 14, no mining is taking place within the municipal limits of the city. None of the respondents have shown any case for vacating order dated 8.3.2019 which has been in operation for more than two years. Moreover, by and large, order of the Hon'ble Supreme Court prohibiting mining in specified radius of the Fort covers the major part of the Municipal area. We see no reason to discontinue the said order. **Accordingly, we make the said order absolute subject to further orders of the Hon'ble Supreme Court.** If the stand of the State that the order is being complied is disputed, the aggrieved party can take remedies with evidence of violation in accordance with law. This question is disposed of accordingly.

Re (ii) **Legality of Mining adversely affecting Bassi Wild Life Sanctuary**

26. As shown above, vide order dated 08.03.2019, this Tribunal also prohibited mining in the radius of 10 km from Bassi Wild Life Sanctuary

against which appeal is pending before Hon'ble Supreme Court and the said order has continued to be in operation. As per stand in the affidavit filed on behalf of the State of Rajasthan on 20.3.2020, referred to above in para 14, no mining is taking place within the radius of 10 km from Bassi Wild Life Sanctuary. It is argued on behalf of the Birla Company that in view of ESZ Notification dated 08.04.2021, interim order passed by the Tribunal be modified/vacated so that the matter is now governed by the said notification. On the other hand, it is stated on behalf of the applicant that permitting mining close to the sanctuary or even upto distance of 3 kms is not enough to protect the sanctuary from adverse impact of mining unless ground situation is studied by an expert Committee. It is pointed out that the boundaries of Eco-Sensitive Zone is at even 'zero' distance from sanctuary, as shown below:

" XXX .....XXX .....XXX  
 1. *Extent and boundaries of Eco-Sensitive Zone.- (1) The Eco-Sensitive Zone shall be to an extent of zero to 3.0 kilometres around the boundary of Bassi Wildlife Sanctuary and the area of the Eco-Sensitive Zone is 106.91 square kilometres. The minimum extent of Eco-Sensitive Zone is zero at places where the National Highway and PWD road are marked as ESZ boundary.*

<b>Direction</b>	<b>Eco-Sensitive Zone Boundary Points</b>	<b>Distance</b>
North	1 to 14	0 to 3.0 kms
North-East	14 to 17	0.015 to 0.5 kms
East	17 to 48	0 to 1.11 kms
South-East	48 to 58	0 to 3.0 kms
South	58 to 81	0.5 to 3.0 kms
South-West	81 to 84	0.157 to 1.4 kms
West	84 to 89	0.015 to 0.325 kms
North-West	89 to	0.030 to 0.650 kms

It is further stated that illegal mining is still continuing in violation of interim order. As regards the grievance of the applicant, in view of stand

of the State that no such illegal mining is taking place, the aggrieved party can take remedies with evidence of violation, if any, in accordance with law.

27. As regards the prayer for vacating order prohibiting mining within 10 kms from sanctuary, in the light of the ESZ notification, we find that permitting mining too close to the sanctuary is against the "Precautionary" principle. Thus, the said prohibition will have to continue till a decision is taken after an expert study of impact of mining beyond the boundaries of ESZ as per notification dated 08.04.2021, upto 10 kms is required, subject to further order of the Hon'ble Supreme Court. Such study may consider need for rationalizing the boundaries of ESZ in terms of minimum distance from the Wild Life Sanctuary as well as *inter-se* distance of mines outside such boundaries. Such study may be conducted by a seven-member joint Committee comprising Chief Wildlife Warden, Rajasthan, Wildlife Institute of India, Dehradun, Indian School of Mines, Dhanbad, ICAR-Indian Institute of Soil and Water Conservation, Dehradun, IIT Roorkee, CPCE, State PCB and District Magistrate, Chittorgarh. The Chief Wildlife Warden, Rajasthan will be the nodal agency for coordination and compliance. The Committee may hold its first meeting within one month and undertake visit to the site. It may also interact with the stakeholders. The Committee will be free to conduct proceedings online, except for site visit. The report may be given to the MoEF&CC within three months of its first meeting. If the report suggests prohibition/restriction on mining beyond the prohibition/restriction in the ESZ Notification, the MoEF&CC may revisit the said Notification upon which the interim order of this Tribunal will end and final notification so issued will

prevail, subject to the same being challenged by the aggrieved party as per law. Till MoEF&CC revisits the notification, the interim order of this Tribunal will continue to operate subject to further orders of the Hon'ble Supreme Court. This question is disposed of accordingly.

**Re (iii) Legality of Mining without requisite EC/Consents adversely affecting the rivers, in violation of environmental norms, including the air and water**

28. Learned Counsel for the applicant submitted that there is large scale illegal mining having adverse impact on environment. The Secretary Mining was arrested for corruption for permitting illegal mining. Having regard to the magnitude of mining, regulatory regime for protection of environment is ineffective as shown by arrest of Principal Secretary Environment on the charge of corruption for permitting illegal mining. As per the National Mineral Policy, 2008 mining could not be permitted ignoring the aspects of restoration and afforestation as per Para 7.10 of the said Policy which runs as follows:-

**“7.10. Mineral Development & Protection of Environment:**

*Extraction of minerals closely impacts other natural resources like land, water, air and forest. The areas in which minerals occur often have other resources presenting a choice of utilisation of the resources. Some such areas are ecologically fragile and some are biologically rich. It is necessary to take a comprehensive view to facilitate the choice or order of land use keeping in view the needs of development as well as needs of protecting the forests, environment and ecology. Both aspects have to be properly coordinated to facilitate and ensure a sustainable development of mineral resources in harmony with environment.*

*Mining activity often leads to environmental problems like land degradation in opencast mining and land subsidence in underground mining, deforestation, atmospheric pollution, pollution of rivers and streams, soil erosion due disposal of solid wastes like overburden and so on, all affecting the ecological balance of the area. Open-cast mining in areas with actual forest cover leads to deforestation. Prevention and mitigation of adverse environmental effects due to mining of minerals and repairing and re-vegetation of the affected forest area and land covered by trees in accordance with the latest internationally acceptable norms and modern afforestation*

*practices shall form integral part of mine development strategy in every instance. All mining shall be undertaken within the parameters of a comprehensive Sustainable Development Framework which will be so devised as to take all these aspects into consideration. The guiding principle shall be that a miner shall leave the mining area in better ecological shape than he found it.*

*Mining operations shall not ordinarily be taken up in identified ecologically fragile and biologically rich areas. Strip mining in forest areas should be avoided and it should be permitted only when accompanied with comprehensive time-bound reclamation programme.*

*No mining lease would be granted to any party, private or public, without a proper mining plan including the environmental management plan approved and enforced by statutory authorities. The environmental management plan should adequately provide for controlling the environmental damage, restoration of mined areas and for planting of trees according to the prescribed norms. As far as possible, reclamation and afforestation will proceed concurrently with mineral extraction. Efforts would be made to convert old disused mining sites into forests and other appropriate forms of land use."*

29. Reliance has been placed on judgements of the Hon'ble Supreme Court that adverse impact on unscientific mining on environment is well acknowledged and established. Particular reference has been made to observations in TN Godavarman (2002) 10 SCC 606, MC Mehta (2004) 12 SCC 118, Deepak Kumar (2012) 4 SCC 629, Samaj Parivrtan Samuday (2013) 8 SCC 154, Sanjay (2014) 9 SCC 772, Goa Foundation (2014) 6 SCC 590, Common Cause (2017) 9 SCC 499 and Goa Foundation (2018) 4 SCC 218. Some of the judgements have laid down requirements of consents under the Air and the Water Acts and grant of EC as per EIA notification dated 14.9.2006. In the process compliance of norms is required to be gone into and continuously monitored by the statutory regulators.

30. Sustainable mining is a facet of sustainable development which requires that mining is done without adverse impact on air, water and land. This aspect needs to be monitored by the State PCBs under the

Water, Air and EP Acts for ensuring that standards of air, water and land are maintained during mining and other related activities. These aspects have been discussed in a recent order of this Tribunal dated 26.2.2021 in OA 360/2015 NGT Bar Association vs. Virender Singh (State of Gujarat) and other connected matters, in the context of sand mining but are also relevant in the present context and are reproduced below:

"1 to 16. xxx.....xxx.....xxx

17. ...in Goa Foundation, supra (prs 74-76) it was observed that **mining was required to be regulated not only by the Mining department but also by the PCBs under the Water and Air Act and by the MoEF under the EP Act. It is made clear that the environment laws override other laws and any provision to the contrary in the Mines Act will not stay in the way of enforcing the environment norms. In this regard reference may also be made to report of the Ministry of Mines entitled "Sand Mining Framework" which will not stand in the way of modified mechanism in accordance with this order.**

18. We may note the salient features of the EMGSM-2020, which are supplemental to existing SSMG-2016 and seek to provide effective enforcement and monitoring from the stage of identification of source to its dispatch and end use which requires involvement of all stakeholders viz. Central Government, State Government, Leaseholders/Mine Owners, Distributors, Dealers, Transporters and Consumers (bulk & retail). EMGSM refer to the judgment of the Hon'ble Supreme Court in Deepak Kumar Vs. State of Haryana & Ors. (2012) 4 SCC 629 making EC mandatory irrespective of the area of mining lease, followed by monitoring in terms of the Environment Management Plan, using IT and IT enabled services. **Monitoring has to be with reference to quantity of mined material, transportation with a view to promote environmental protection, limit negative physiological, hydrogeological and social impacts underpinning sustainable economic growth.** Observations in the order of this Tribunal dated 04.09.2018 in O.A. 173/2018 in Sudarsan Das vs. State of West Bengal & Ors. has also been referred to as follows:

"There can be no two views that an effective institutional monitoring mechanism is required not only at the stage when Environmental Clearance is granted but also at subsequent stages".

"The guidelines focus on the preparation of District Survey Report and the Management Plan" ...

We are of the view that all the safeguards which are suggested in sustainable sand mining guidelines as well as notification dated 15.01.2016 ought to be scrupulously followed." ...

It is a known fact that in spite of the above-suggested guidelines being in existence, on the ground level, illegal mining is still going on. The existing mechanism has not been successful and effective in remedying the situation." ...

*Since there is an utter failure in the current monitoring mechanism followed by the State Boards, SELAAs and DEIAAs, it is required to be revised for effective monitoring of sand and gravel mining and a dedicated monitoring mechanism be set up."*

*Further reference has been made to the directions in the order dated 05.04.2019 requiring the 17 States, which were party before the Tribunal viz. West Bengal, Gujarat, Karnataka, Maharashtra, Punjab, Uttar Pradesh, Haryana, Madhya Pradesh, Andhra Pradesh, Bihar, Uttarakhand, Jammu and Kashmir, Goa, Kerala, Telangana and Tamil Nadu and Himachal Pradesh, to follow the revised Guidelines and to review their respective monitoring mechanism. It is then stated that with the object of regulating the mining, the sources of sand and steps required are mentioned which provide for District Survey Report (DSR), Mining Plan, replenishment study, consideration of environment impact while granting EC, laying down conditions for EC, monitoring of transportation to the end user to ensure that only legally mined material is transported. There is need to balance between deposition and extraction of sand as per replenishment study, maintaining surveillance, using Unmanned Artificial Vehicles (UAVs)/ Drone for reserves estimation, quantity estimation, land use monitoring. Details about all these aspects have been mentioned in the said Guidelines. With regard to post EC monitoring, there is a provision for environment audit, monitoring of sale and purchase by developing online portal and laying down the levels of monitoring i.e. Level 1 - Reach/ Stockyard level monitoring, Level 2 - Transportation monitoring, Level 3 - End consumer monitoring/ bulk consumer, Level 4 - Indirect monitoring. Reference has then been made to the High-Powered Committee incorporating safeguards to be adopted by the project proponents. There is also provision for assessment of compensation for the ecological damage by the State/ PCB/ any other Authority. Inter District and Inter State boundaries are separately dealt with. The uniform monitoring mechanism stipulates:*

#### **\* 9.4. Monitoring Mechanism**

xxx ..... xxx ..... xxx .....

1. *All precaution shall be taken to ensure that the water stream flows unhindered and process of Natural river meandering doesn't get affected due to mining activity.*
2. *River mining from outside shall not affect rivers, no mining shall be permitted in an area up to a width of 100 meters from the active edge of embankments or distance prescribed by the Irrigation department.*
3. *The mining from the area outside river bed shall be permitted subject to the condition that a safety margin of two meters (2 m) shall be maintained above the groundwater table while undertaking mining and no mining operation shall be permissible below this level unless specific permission is obtained from the Competent Authority. Further, the mining should not exceed nine-meter (9 m) at any point in time.*

4. *Survey shall be carried out for identifying the stretches having habitation of freshwater turtles or turtle nesting zones. Similarly, stretches shall be identified for other species of significant importance to the river ecosystem. Such stretch with adequate buffer distance shall be declared as no-mining zone and no mining shall be permitted. The regulatory authority as defined for granting Environmental Clearance, while considering the application of issuance of ToR and/or EC for the adjacent block (to non-mining zone) of mining shall take due precaution and impose requisite conditions to safeguard the interest of such species of importance.*
5. *District administration shall provide detailed information on its website about the sand mines in its district for public information, with an objective to extend all information in public domain so that the citizens are aware of the mining activities and can also report to the district administration on any deviation observed. Appropriate feedback and its redressal mechanism shall also be made operational. The details shall include, but not limited to, lease area, geo-coordinates of lease area and mineable area, transport routes, permitted capacity, regulatory conditions for operation including mining, environmental and social commitments etc.*
6. *A website needs to be maintained to track the movement of centralised sand mining and a Centralised server system should be made to manage the data related to sand mining across India.*
7. *The mineral concession holders shall maintain electronic weighbridges at the appropriate location identified by the district mining officer, in order to ensure that all mined minerals from that particular mine are accounted for before the material is dispatched from the mine. The weighing bridge shall have the provision of CCTV camera and all dispatch from the mine shall be accounted for.*
8. *The mineral movement shall be monitored and controlled through the use of transit permit with security features like printing on IBA approved MICR papers, Unique bar/QR, fugitive ink background, invisible ink mark, void pantographs and watermarks papers or through use of RFID tagged transit permits and IT /IT-enabled services. Such monitoring system shall be created and made operationalised by State Mining department and district level mining officer shall be responsible for ensuring that all legal and operational mines are connected and providing the requisite information on the system. Regular check and associated report shall be submitted to DLTF and uploaded on the website.*

9. *State Government shall constitute a District Level Task Force (DLTF) under the Chairmanship of Deputy Commissioner/District Magistrate/Collector with Superintendents of Police and other related senior functionaries (District Forest Officer, District transport officer, Regional officer- SPCEs, Senior Officer of Irrigation Department, District Mining Officer) with one/two independent member nominated by the Commissioner concerned. The independent member shall be retired government officials/teacher or ex-serviceman or ex-judiciary member.*

*The DLTF shall keep regular watch over the mining activities and movement of minerals in the district. The DLTF shall have its regular meeting, preferably every month to reconcile the information from the mining activity, and other observations made during the month and take appropriate corrective and remedial action, which may include a recommendation for revoking mining lease or environmental clearance. The DLTF may constitute an independent committee of the expert to assess the environmental or ecological damage caused due to illegal mining and recommend recovery of environmental compensation from the miner's concern. The recommendation may also include action under the provision of E(P) Act, 1986.*

10. *The area not identified for mining due to restriction or otherwise are also to be monitored on a regular basis by the DLTF. Any observations of mining activity from the restricted area shall be reported and corrective measures shall be initiated on an urgent basis by the DLTF.*
11. *The dispatch routes shall be defined in the Environmental Clearance and shall be avoided through densely habituated area and the increase in the number of vehicle movement on the road shall be in agreement with the IRC guidelines / carrying capacity of the road. The alternate and dedicated route shall be explored and preferred for movement of mining to avoid inconvenience to the local habitat. The mining production capacity, by volume/weight, shall be governed by total permissible dispatch calculated based on the carrying capacity of dispatch link roads and accordingly, the production should be regulated.*
12. *The movement of minerals shall be reconciled with the data collected from the mines and various Naka/check posts. Other measures may also include a general survey of the potential mineable area in the district which has not been leased/auctioned or permitted for mining due to regulatory or other reasons.*

13. *The location and number of check post requirement shall be reviewed by DLTF on a regular basis so that appropriate changes in location/number could be made as per the requirement. Such review shall be carried out on a regular basis for the district on interstate boundary or district providing multiple passages between two districts of different states.*
14. *The district administration shall compile the information from their district of the permitted and legal mined out minerals and other details and share such information and intelligence with the officials of the adjoining district (Inter or/and Intra State) for reconciliation. The information shall include the area of operation, permissible quantity, mined out minerals (production) the permitted route etc., and other observations, especially where the mine lease boundary is congruent with the district boundary. Such coordination meeting shall be held on a quarterly basis, alternatively in two district headquarters or any other site in two districts decided mutually by the District Magistrate.*
15. *The mining department shall include submission of an annual environmental audit report as one of the conditions in the mining lease agreement. The annual audit for each river bed mining lease shall be carried out and the audit report shall be uploaded on the website of district administration. The audit shall be carried out by an independent team of 3 members nominated by District Collector/Magistrate/Commissioner comprising of Ex-Serviceman, Ex-Government officials of repute, Professor or Person having experience of mining/environment. The guidelines and method of the audit shall reflect adequately the monitor-able parameters and output and reflect the compliance status with respect to the conditions imposed by the regulatory authorities including conditions of Environmental clearance.*
16. *The in-situ and ex-situ environmental mitigative measures stipulated as EMP, CER, CSR and other environmental and safety conditions in mines including the welfare of labours shall properly reflect in the audit report.*

**9.5 Suggestive additional requirements are**

**i. The requirement at the Mine Lease Site:**

- a. *Small Size Plot (Up to 5 hectares): Android Based Smart Phone.*

- b. *Large Size Plots (More than 5 hectares): CCTV camera, Personal Computer (PC), Internet Connection, Power Back up.*
- c. *Access control of mine lease site.*
- d. *Arrangement for weight or approximation of the weight of mined out mineral on the basis of the volume of the trailer of vehicle used.*

**ii. Scanning of Transport Permit or Receipt and Uploading on Server:**

- a. *Website: Scanning of receipt on mining site can be done through barcode scanner and computer using the software;*
- b. *Android Application: Scanning on mining site can be done using Android Application using a smartphone. It will require internet availability on SIM card;*
- c. *SMS: Transport Permit or Receipt shall be uploaded on the server even by sending SMS through mobile. Once Transport Permit or Receipt get uploaded, a unique invoice code gets generated with its validity period.*

**iii. Proposed working of the system:**

*The State Mining Department should print the Transport Permit or Receipt with security features and issue them to the mining leaseholder through the District Collector. Once these Transport Permits or Receipts are issued, they would be uploaded on the server against that mine lease area. Each receipt should be preferable with pre-fixed quantity, so the total quantity gets determined for the receipts issued. When the Transport Permit or Receipt barcode gets scanned and invoice is generated, that particular barcode gets used and its validity time is recorded on the server. So all the details of transporting of mined out material can be captured on the server and the Transport Permit or Receipt cannot be reused.*

**iv. Checking On Route:**

*The staff deployed for the purpose of checking of vehicles carrying mined mineral should be in a position to check the validity of Transport Permit or Receipt by scanning them using the website, Android Application and SMS.*

**v. Breakdown of Vehicle:**

*In case the vehicle break-down, the validity of Transport Permit or Receipt shall be extended by sending SMS by the driver in specific format to report the breakdown of the vehicle. The server will register this information and register the breakdown. The State can also establish a call center, which can register breakdowns of such vehicles and extend the validity period. The subsequent restart of the vehicle also should be similarly reported to the server or call center.*

**vi. Tracking of Vehicles:**

*The route of the vehicle from source to destination can be tracked through the system using checkpoints, RFID Tags, and GPS tracking.*

**vii. Alerts or Report Generation and Action Review:**

*The system will enable the authorities to develop a periodic report on different parameters like daily lifting report, vehicle log or history, lifting against allocation, and total lifting. The system can be used to generate auto mails or SMS. This will enable the District Collector or District Magistrate to get all the relevant details and shall enable the authority to block the scanning facility of any site found to be indulged in irregularity. Whenever any authority intercepts any vehicle transporting illegal sand, it shall get registered on the server and shall be mandatory for the officer to fill in the report on action taken. Every intercepted vehicle shall be tracked.*

*The monitoring of mined out mineral, environmental clearance conditions and enforcement of Environment Management Plan will be ensured by the regulatory authority and the State Pollution Control Board or Committee. The monitoring arrangements envisaged above shall be put in place. The monitoring of enforcement of environmental clearance conditions shall be done by the Central Pollution Control Board, Ministry of Environment, Forest and Climate Change and the agency nominated by the Ministry for the purpose.*

*Some of the State has followed the SSMMG-2016 and has also improvised or customized on the provisions given therein, and are successfully in operation. Salient provision adopted at different stages of sand mining in the state of Tamil Nadu is given as **Annexure VIII**.*

**9.6 Actions against illegal excavation and transport**

*Solapur district administration in Maharashtra had adopted a multi-pronged strategy to penalize the persons involved in illegal excavation and transport which resulted in a significant increase in revenue earned by the state. Following rules and procedures as mentioned in these guidelines will add to the costs of PP. Those involved in illegal activities are not required to bear these costs and this will make their supply in the market cheaper (though illegal). This will put the players running their business by following rules and procedures laid down by the government to disadvantage as far as the selling price is considered. Therefore, it is necessary to come down heavily on those involved in illegal excavation/transport, so that there is no incentive for players to abide by the rules.*

**The following action may be taken to achieve this deterrence against illegal business:**

- 1. The action should be taken under all legal options available simultaneously. Thus, after identifying the case*

of illegal excavation, storage and/or transport of minor minerals (including sand), fine should be levied as per the land revenue laws/code(s) of the state. In addition, FIR should be lodged in the police station under relevant sections of law including sec 379 IPC. In addition, action under the Motor Vehicle Act, 1989 and relevant rules should initiate to cancel/suspend the driving license of the driver and permit of the vehicle. Further, action should be initiated under provisions in the Income Tax Act, 1961 for unaccounted income and under the Central Goods and Services Act, 2017 for nonpayment of GST. (Earlier this was done under the state act pertaining to Value Added Tax/Sales Tax). Habitual offenders should also be taken up under local state laws for extenuation and/or preventive action. It is clarified that as per law, it is possible to take all actions under various laws simultaneously for one offence. What is prohibited in law is an action under the same law for the same act more than once.

2. The action should be taken against all persons responsible. Often, there is a tendency to penalize only the drivers of the vehicles. The mafia of illegal mining and transport is much bigger and drivers are only one part of the system. It is necessary to identify all those involved in the offence. It is usually not possible to reach the place of excavation without creating a motorable pathway up to the same through land which may be private land. Such role of such landowners needs to be looked into for each offence and proceeded against simultaneously. Further, the role of vehicle owners needs to be probed. Role of the person who allowed his land to be used for illegal excavation and storage should also be examined. Lastly, the person who purchases such sand should also be probed. The legal proceedings stated above needs to be initiated against all of these together. An attempt should be made to fix the financial responsibility in joint and several ways so that recovery is easier.
3. There may be discretion available in law about the extent of the penalty to be levied. If such discretion is very wide, then it is advisable that guidelines may be laid down to reduce such discretion in law for levying penalties. For example, in Maharashtra, Land Revenue Code, fine of any amount of penalty up to thrice the value of the sand can be levied. Solapur district administration had instructed Tahsildars and SDMs not to use discretion and levy the fine of three times the value. Availability of discretion makes junior level functionaries susceptible to pressures and it may also lead to corrupt practices.
4. It is emphasized that actions, as stated above, are most important to ensure that the IT-based system works. If these exemplary actions are not taken against everyone, it shall create a strong disincentive to those involved in legal excavation and transportation. For IT-based for any

*other) legal system to work, it is necessary to ensure that illegal system stops working altogether."*

**19. Several formats have been suggested in the Annexures, apart from salient provisions in the State of Tamil Nadu before execution of the mining lease and after execution of such lease including *judicious mined closure plan, reclamation, removal of sheds and maintaining of record for future reference.*"**

31. The proposition that unscientific and unsustainable mining in violation of norms needs to be checked being undisputed, the parties agree that no mining can continue without requisite EC/consents and compliance of conditions thereof. Suitable conditions have to be laid down to ensure sustainable mining and guidelines on the subject can be laid down in exercise of powers of the MoEF&CC under the EP Act on the pattern of such guidelines relating to sand mining. While we note the disturbing event of Mining Secretary being involved in the racket of illegal mining, which does give inference of illegal mining and failure of regulatory regime and that even the State had to admit such illegal mining in its affidavits referred to above, the said event was of the year 2016. Directions were issued by this Tribunal to stop illegal mining. The State claims to have taken remedial measures to check the same. As noted earlier, vide order dated 31.7.2017, stand of the State was noted that a high level committee was formed to check illegal mining. The authorities need to continuously take steps in the matter. We have noted that in pursuance of directions of this Tribunal, report of Survey of India was filed on 18.07.2019 titled "Survey & Computation of Area of Mines/Excavated Pits within Municipal Area & Bassi Wild Life Sanctuary and Eco-Sensitive Zone in Chittorgarh District (Rajasthan)" which is not conclusive, as rightly stated by learned Counsel for the Applicant and not disputed by any of the respondents. The PCB filed its affidavit on 11.10.2019 that mining without consents was stopped. As per stand in the affidavit filed on behalf of the State of Rajasthan on 20.3.2020, referred to above in para 14, no mining

is taking place without EC/Consents. Mining which was illegally going on has been stopped. If the said stand is disputed, the aggrieved party is at liberty to take remedies based on specific evidence against a specific party. The Tribunal having monitored this aspect in the last two years and remedial steps are claimed to have been taken, we hope the statutory regulators will act as trustees of power, as is expected under the public trust doctrine. In absence of specific evidence of violation by specified parties, no further order is called for but this order will not debar consideration of any particular grievance based on material in support of continuing illegal mining, in any other appropriate proceedings. **However, we consider it necessary that on the pattern of "Sustainable Sand Mining Management Guidelines, 2016" (SSMG-2016) and "Enforcement & Monitoring Guidelines for Sand Mining, 2020" (EMGSM-2020) issued by the MoEF&CC under the EP Act to regulate sand mining, the guidelines need to be issued to regulate on the subject of limestone mining. This may be done after discussion among the nominees of MoEF&CC and CPCB. The Committee may be constituted within one month and its report may be furnished within three months. The guidelines may be issued within one month thereafter.** The question is disposed of accordingly.

**Re (iv) Compensation and accountability for the illegal mining conducted without requisite EC/consents.**

32. With regard to illegal mining without EC/consents under the Environmental laws, which admittedly took place in the past, the matter needs to be considered by the statutory regulators after ascertaining the facts by an independent joint Committee. No individual alleged violators is a party before the Tribunal. There is no data available with us of extent of illegal mining. However, there have admittedly been violations and failure

of the authorities in enforcing the law for which the violators and the authorities need to be held accountable and liable. Though this aspect was, to an extent, considered by a Bench of this Tribunal vide order dated 23.05.2019 in M.A. No. 08/2019, OA No. 414/2018, *Santosh Mittal & Ors. v. State of Rajasthan & Ors.*, the said order has been stayed. Thus, the issue remains at large. While correctness of order already passed is to be decided by the Hon'ble Supreme Court, there is no bar to prayer of the applicant being gone into by the statutory regulators in accordance with law. Order of a Bench of this Tribunal on the subject is as follows:

*"While considering this misc. application, it was brought to our notice by the Learned Counsel for State of Rajasthan that a compliance affidavit has been filed on 12.11.2018 by Mr. A. N. Gupta, Deputy Conservator Forest, Alwar, Rajasthan. The said affidavit is accompanied by various annexures. It has been deposited in the affidavit that the cost of mined mineral due to illegal mining has been calculated by the Mining Department, State of Rajasthan as Rs.15,68,65,17,000/-. The cost of ecological restoration has been calculated as Rs.19,26,09,180/-. The net present value of future ecosystem services is Rs. 22,76,41,120/- and the punitive amount has been determined as Rs. 16,096,767,600/-. Accordingly, **the total loss by illegal mining activities in the area in question, under various heads, has been calculated by the State of Rajasthan as Rs. 32,193,535,200/- (Thirty two billion one hundred ninety three million five hundred thirty-five thousand and two hundred only).***

*Therefore, the aforesaid amount is the total loss which is to be recovered from the crushers and others in accordance to the order dated 17.01.2017. The said amount is to be equally distributed amongst them. The Learned Counsel for Haryana State Pollution Control Board shall take note of the total loss which has been determined, while recovering the amount from the stone crushers and others as mentioned in the aforesaid final order.*

*List the matter on 30<sup>th</sup> May, 2019.*

*Raghuvendra S. Rathore, JM  
Dr. Satyawan Singh Garbyal, EM"*

33. Against above order, SLP (Civil) No. 5082/2019 is pending wherein interim stay has been granted. **While the said matter can be dealt with as per orders of the Hon'ble Supreme Court, subject to such orders, an exercise needs to be conducted in the matter so that no violators**

remain unaccountable. For this purpose, a joint Committee of CPCB, State PCB and District Magistrate, Chittorgarh may take further remedial action as per law against violators who may be identified and proceeded against in accordance with the powers of the statutory regulators, following due process. The State PCB will be the nodal agency for coordination and compliance. The Committee may hold its first meeting within one month, undertake visit to the sites and interact with the stakeholders. The Committee will be free to conduct proceedings online, except for site visits. The Committee will be free to take assistance from expert institution or individual. Expenses may be met out of consent funds available with the State PCB and adjusted later out of the compensation recovered. The compensation may be assessed by the Committee and recovered as per law which may be credited to a separate account with the District Magistrate to be spent on restoration of the environment as per action plan to be prepared by the Committee. The Committee may also prepare SOP for regular and sustainable monitoring of ambient air and water, including CAAQMS, control of dust, NOx emissions and other associated aspects and also for self regulatory norms for monitoring. The Committee may complete its task within six months and give its report to the Chief Secretary, Rajasthan for further action by all concerned as per law. The Chief Secretary, Rajasthan may evolve appropriate oversight and compliance mechanism for the purpose and also to make erring officers accountable. The issue is disposed of accordingly.

Re: (v) Validity of notification dated 1.7.2016 issued by the MoEF&CC granting certain exemptions from EIA notification dated 14.9.2006

34. Case of the applicant is that ignoring the norms, the MoEF&CC issued Notification dated 01.07.2016 exempting the requirement of public notice as per Rule 5(3)(a) of the Environment (Protection) Act, 1986 before grant of mining leases, in the interest of generating employment. By the said Notification, the State of Rajasthan has been permitted to define the size of the cluster as per the local situation. The same is against the Public Trust Doctrine as well as Precautionary Principle. The notification is reproduced below:

*"S.O. 2269(E).—Whereas by notification of the Government of India in the erstwhile Ministry of Environment and Forest number S.O. 1533 (E), dated the 14th September, 2006 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) (hereinafter referred to as the said notification) directions has been given on environmental clearance for minor minerals and environment clearance for leases in cluster;*

*And whereas, the provision of cluster in the said notification is causing practical difficulty in the State of Rajasthan, where a large number of small size (15×30 sq. mt or 30×60 sq. mt) leases and quarry licenses are operational for many years. A large number of such leases have been granted years before, and have been further fragmented with family partitions. These mines are located adjacent to each other leaving no space between two leases, which make it difficult to prepare and implement Environment Management Plan for individual leases;*

*And whereas, many of the lessees who applied for environmental clearance for individual leases, but by classification of cluster in the said notification are being included in B1 category and has to be processed at the State level, whereas the work of appraisal and environmental clearance for small leases is assigned to the district level authority;*

*And whereas, in view of the sudden unemployment of a large number of persons in the State of Rajasthan due to closure of mines, the Central Government hereby amends the said notification by exempting public notice inviting objections and suggestions from persons likely to be affected thereby under clause (a) of sub rule (3) of rule 5 of the Environment Protection Rules, 1986, in public interest;*

*Now, therefore in exercise of the powers conferred by sub-section (1) and clause (v) of sub-section (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986) read with sub-rule (4) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby makes the following further amendments to the notification of the Government of India, in the erstwhile Ministry of Environment and Forests number S.O. 1533(E), dated the 14th September, 2006 after having dispensed with the requirement of*

notice under clause (a) of sub-rule (3) of the said rule 5 in public interest, namely :-

*In the said notification,-*

(a) in the Schedule, in item 1(a), in column (5), entry (i) shall be renumbered as entry (iii) and before entry (ii) as so renumbered, the following entry shall be inserted, namely:-

"(ii) for project or activity of mining of minor minerals of Category 'B1' in case of cluster of mining lease area;"

(b) in Appendix XI,-

(i) for paragraph 6, the following shall be substituted, namely:-

"(6) A cluster shall be formed when the distance between the peripheries of one lease is less than 500 meters from the periphery of other lease in a homogeneous mineral area which shall be applicable to the mine leases or quarry licenses granted on and after 9th September, 2013.;"

(ii) after the Table relating to "Schematic Presentation of Requirements on Environment Clearance of Minor Minerals including cluster situation" and before Appendix XII, the following Note shall be inserted at the end, namely:-

"Note - (1) In the State of Rajasthan, for mining of minor minerals, in situation of a large number of leases or quarry licenses of very small size (up to one hectare each) in contiguous area, the Mines and Geology Department of the State Government shall,-

- (A) define the size of cluster as per local situation for effective formulation and implementation of mine plan and Environment Management Plan;
- (B) prepare mine plan and an Environment Management Plan for the cluster;
- (C) prepare a Regional Mine Plan and Regional Environment Management Plan including all the clusters in that contiguity.
- (D) provide for mobilisation of funds from the Project Proponents in predetermined proportion for implementation of cluster and Regional Environment Management Plan.

(2) The District Mineral Fund can also be used to augment the fund for implementation of Environment Management Plans.

(3) The Environment Management Plan shall be prepared and presented within ninety days from the date of publication of this notification in the Official Gazette for environment clearance granted on or after 15th January, 2016 to any lease in that cluster. The recommendation of the State Expert Appraisal Committee and approval of the State Environment Impact Assessment Authority shall be granted within sixty days of presentation of the Environment Management Plan.

*(4) The implementation of the Environment Management Plan shall begin within six months from the date of publication of this notification in the Official Gazette. The Environment Management Plan shall be monitored at the interval of six months by the concerned State Environment Impact Assessment Authority.*

*(5) The leases not operative for three years or more and leases which have got environmental clearance as on 15th January, 2016 shall not be counted for calculating the area of cluster, but shall be included in the Environment Management Plan and the Regional Environmental Management Plan."*

35. We find difficulty in going into the issue. The same was not raised in the original application though the impugned notification existed prior to the Application. No application for amendment has been filed. The MoEF&CC has not been impleaded as a party. Thus, validity of the said notification cannot be gone into in these proceedings but this will not debar the applicant or any other aggrieved party to take their remedy in accordance with law. The issue stands disposed of accordingly.

**Directions**

36. As a result of the above discussion, this application is disposed of with following directions:

- i) We make the interim order dated 8.3.2019 on the subject of prohibiting mining within Municipal limits of Chittorgarh City absolute subject to further orders of the Hon'ble Supreme Court.
- ii) We direct that the interim order dated 8.3.2019 on the subject of prohibiting mining in the radius of 10 km from Bassi Wild Life Sanctuary will continue, subject to further orders of the Hon'ble Supreme Court, till the MoEF&CC takes a call on the issue of revising ESZ notification dated 8.4.2021 in the light of report of seven-member expert Committee in terms of para 27 above. Thereafter, the matter will be governed by the

decision of the MoEF&CC subject to any challenge to such decision as per law.

- iii) A joint Committee of MoEF&CC and CPCB may meet within one month to formulate guidelines for sustainable limestone mining on the pattern of SSMG-2016 and EMGSM-2020 in consultation with any other expert/institution as per direction in para 31 above. The guidelines may be framed within three months of the first meeting of the Committee. MoEF&CC may thereafter issue appropriate guidelines within one month in exercise of statutory powers under the EP Act. CPCB will be nodal agency for compliance.
- iv) A joint Committee of CPCB, State PCB and District Magistrate, Chittorgarh may take further remedial action in terms of para 33 above. The exercise may be completed within six months.
- v) The State of Rajasthan and regulatory authorities in the State dealing with the regulation of mining – Secretary, Environment, Secretary, Mining, State PCB and District Magistrate may ensure that mining is conducted as per environmental norms under the Water Act, Air Act and EP Act, including the notifications under the EP Act for sustainable mining. While the issue of validity of Notification dated 01.07.2016 is left to be gone into in appropriate proceedings separately, environmental norms laid down therein may be strictly followed particularly with regard to preparation and implementation of environment management plan.

A copy of this order be forwarded to Chief Secretary, Rajasthan, Secretaries, Environment and Mining, Rajasthan, MoEF&CC, CPCB,

Wildlife Institute of India, Dehradun, Indian School of Mines, Dhanbad,  
ICAR-Indian Institute of Soil and Water Conservation, Dehradun, IIT  
Roorkee, Chief Wildlife Warden, Rajasthan, State PCB and District  
Magistrate, Chittorgarh by e-mail for compliance.

Adarsh Kumar Goel, CP

Brijesh Sethi, JM

Dr. Nagin Nanda, EM

September 24, 2021  
Original Application No. 398/2017  
DV + A + AVT

## GOVERNMENT OF RAJASTHAN

## ADMINISTRATIVE REFORMS (GROUP 3) DEPARTMENT

G.O. (A)/AR/Gr-3/2007

Jaipur, dated: 3.7.12

## ORDER

In compliance of the guidelines for declaration of Eco-sensitive Zone around Critical Tiger Habitats, National Parks and Wildlife sanctuaries, hereby referred as guidelines, issued by Ministry of Environment and Forests, Government of India vide letter no 1-9/2007 WL(P) dated 9.2.2011, and in pursuance of all earlier orders of Government in this matter the State Government hereby constitutes the following committees for the Protected Areas (PAs) i.e. Critical Tiger Habitats, National Parks and Wildlife Sanctuaries as mentioned below with following District Collectors as Chairman, Sub Divisional Officers (SDOs), Mayor Nagar Palikas/President Nagar Parishads/Chairpersons Nagar Palikas/Pradhans Panchayat Samitis (P.S); Honorary Wildlife Wardens (HWWs) as members and Deputy Conservator of Forests (Dy.CF)/Dy. Conservator of Forests (Dy.CF), Wildlife/Divisional Forests Officer (DFO)/Deputy Chief Wildlife Warden (Dy. CWLW) as member secretary:-

S.No.	Name of Protected Area	Chairman	Member	Member	Member	Member Secretary
1	2	3	4	5	6	7
	Critical Tiger Habitat Ranthambhore Tiger Reserve (Ranthambhore National Park, Sawaimansingh & Keladevi)	District Collector, Sawai-Madhopur	SDO, Sawai-Madhopur	HWW, Sawai-Madhopur	Chairperson, Nagarpalika, Sawai-Madhopur and Pradhan, P.S., Sawai-Madhopur	Dy. CF & Dy. Director (Core) Sawai-Madhopur
			SDO, Khandar		Pradhan, P.S., Khandar	
			SDO, Karauli		Pradhan, P.S., Sapotra	
			SDO, Sapotra		Chairperson, Nagarpalika, Karauli and Pradhan P.S., Karauli	
			SDO, Mandrayal			
	Keoladeo National Park	District Collector, Bharatpur	SDO, Bharatpur	HWW, Bharatpur	Chairperson, Nagarpalika, Bharatpur and Pradhan, P.S., Bharatpur	Dy. CWLW, Bharatpur
	Mukandara hills National Park	District Collector, Kota	SDO, Kota	HWW, Kota	Pradhan, P.S., Ladpura	Dy. CF, Wildlife, Kota
			SDO, Ramganj Mandi		Pradhan, P.S., Khisirabad	
	Critical Tiger Habitat, Sariska Tiger Reserve (Sariska Sanctuary)	District Collector, Alwar	SDO, Alwar	HWW, Alwar	Pradhan, P.S., Umairn	Dy. CF, Tiger Project, Sariska
			SDO, Thanagazi		Pradhan, P.S., Thanagazi	
			SDO, Rajgadh		Pradhan, P.S., Rajgadh	
			SDO, Bansoor		Pradhan, P.S., Bansoor	
	Darra Sanctuary	District Collector, Kota	SDO, Kota	HWW, Kota	Pradhan, P.S., Ladpura	Dy. CF, Wildlife, Kota

From

For the...

Prof. Chhotu  
Prof. Anand

3/7/12  
PIE

	Kota	SDO, Rampurj Mandi		Pradhan, P.S., Khairabad	
Van Vihar Sanctuary	District Collector, Dholpur	SDO, Bari	HWW, Dholpur	Pradhan, P.S., Bari	Dy. CP, Dholpur
Jaisamand Sanctuary	District Collector, Udaipur	SDO, Sarada	HWW, Udaipur	Pradhan, P.S., Sarada	Dy. CWLW, Udaipur
Kumbhalgarh Sanctuary	District Collector, Rajasthan	SDO, Balli Distt. Palli	HWW, Palli	Chairperson, Nagarpalika Sachl and Pradhan, P.S., Balli	Dy. CWLW, Udaipur
		SDO, Desuri Distt. Palli		Pradhan, P.S., Desuri	
		SDO, Gogunda Distt. Udaipur		Pradhan, P.S., Gogunda	
		SDO, Kumbhalgarh, Distt. Rajasthan	HWW, Udaipur	Pradhan, P.S., Kumbhalgarh	
		SDO, Dharam, Distt. Rajasthan	HWW, Rajasthan	Pradhan, P.S., Dharam	
		SDO, Devkath, Distt. Rajasthan	Pradhan, P.S., Devkath		
Talchepar	District Collector, Churu	SDO, Sujangarh	HWW, Churu	Chairperson, Nagarpalika Churu and Pradhan, P.S., Sulangarh	Dy. CP, Churu
Sitamata Sanctuary	District Collector, Chittorgarh	SDO, Chhoti Sardi	HWW, Chittorgarh	Pradhan, P.S., Chhoti Sardi	Dy. CP, Wildlife, Chittorgarh
		SDO, Hathi Sardi		Pradhan, P.S., Hathi Sardi	
		SDO, Pratapgarh		Pradhan, P.S., Pratapgarh	
		SDO, Dhanyawad		Pradhan, P.S., Dhanyawad	
National Chambal Ghaziyal Sanctuary	District Collector, Dholpur	SDO, Kota	HWW, Kota	Mayor, Nagar Nigam Kota and Pradhan, P.S., Laddura	Dy. CP, Wildlife, Kota
		SDO, Digodh		Pradhan, P.S., Suitanpur	
		SDO, Peepalda		Pradhan, P.S., Nava	
		SDO, Dholpur	HWW, Dholpur	Chairperson, Nagarpalika, Dholpur and Pradhan, P.S., Dholpur	
		SDO, Baredi	Pradhan, P.S., Baredi		
		SDO, Bari	Pradhan, P.S., Bari		

		SDO, Rajakheta		Pradhan, P.S., Rajakheta	
		SDO, Sapota	HWW, Karauli	Chairperson, Nagarpalika Karauli and Pradhan, P.S., Sapota	
		SDO, Mandrayal	HWW, Sawaimadhopur	Pradhan, P.S., Khandar	
		SDO, Khandar	HWW, Bundi	Pradhan, P.S., Keshavarajpota	
		SDO, Lakheri	HWW, Jaipur	Mayor, Nagar Nigam Jaipur and Pradhan, P.S., Amer	Dy. CF, Jaipur (Central)
	Nahargarh Sanctuary	District Collector, Jaipur	SDO, Ahter	Pradhan, P.S., Jamiya Ramgadh	Dy. CF, Jaipur (Central)
	Jamiya Ramgadh Sanctuary	District Collector, Jaipur	SDO, Bundi	Chairperson, Nagarpalika Rawabhata and Pradhan, P.S., Taleeda	Dy. CF, Wildlife, Kota
	Jawahar Sagar Sanctuary	District Collector, Kota	SDO, Rawabhata	Pradhan, P.S., Bhanrodgarh	
	Desert National Park Sanctuary	District Collector, Jaisalmer	SDO, Jaisalmer	Pradhan, P.S., Jaisalmer	Dy. Director, DNP, Jaisalmer
			SDO, Shiy, Barmer	Pradhan, P.S., Jaisalmer, Shiy, Barmer	
	Ranigarh Mishohari Sanctuary	District Collector, Bundi	SDO, Bundi	Chairperson, Nagarpalika, Bund and Pradhan, P.S., Bund	DFO, Bund
			SDO, Nainwa	Pradhan, P.S., Nainwa	
			SDO, Hindoli	Pradhan, P.S., Hindoli	
	Bhanrodgarh Sanctuary	District Collector, Chittorgadh	SPO, Rawabhata	Chairperson, Nagarpalika Rawabhata and Pradhan, P.S., Bhanrodgarh	Dy. CF, Wildlife, Chittorgadh
	Kailadevi Sanctuary (Area not included in CTH, RFR)	District Collector, Karauli	SDO, Mandrayal	Chairperson, Nagarpalika Karauli and Pradhan, P.S., Sapotara	Dy. CF, Buffer, Karauli
	Shergarh Sanctuary	District Collector, Baran	SDO, Atru	Pradhan, P.S., Atru	DFO, Baran
	Todgarh Raoli Sanctuary	District Collector, Pali	SDO, Desuri, Distt. Pali	Pradhan, P.S., Desuri, Distt. Pali	Dy. CWLW, Udaipur
			SDO, Marwar Junction Dist. Pali	Pradhan, P.S., Marwar Junction Dist. Pali	
			SDO, Raipur, Dist. Pali	Pradhan, P.S., Raipur, Dist. Pali	
			SDO, Sojat Dist. Pali	Pradhan, P.S., Sojat Dist. Pali	

		SDO, Bhem Dist. Rajasmand	HWW, Rajasmand	Pradhan, P.S., Bhem, Distt. Rajasmand	
		SDO, Deygarh, Dist. Rajasmand		Pradhan, P.S., Deygarh, Distt. Rajasmand	
		SDO, Beawer, Dist. Ajmer	HWW, Ajmer	Pradhan, P.S., JawaJa Distt. Ajmer	
Phulwari ki Naal Sanctuary	District Collector, Udaipur	SDO, Jhadol (Phalacia), Dist. Udaipur	HWW, Udaipur	Pradhan P.S., Jhadol, Dist. Udaipur	Dy. CWLW, Udaipur
		SDO, Kotada, Dist. Udaipur		Pradhan, P.S., Kotada, Dist. Udaipur	
Bandh Baretha Sanctuary	District Collector, Bharatpur	SDO, Bayana	HWW, Bharatpur	Pradhan, P.S., Bayana	DFO, Bharatpur
		SDO, Roopbas		Pradhan, P.S., Roopbas	
Sajjargah Sanctuary	District Collector, Udaipur	SDO, Girva, Dist. Udaipur	HWW, Udaipur	President, Nagarparishad, Udaipur and Pradhan, P.S., Girva Dist. Udaipur	Dy. CWLW, Udaipur
Bassi Sanctuary	District Collector, Chitorgarh	SDO, Hegun	HWW, Chitorgarh	Pradhan, P.S., Hegun	Dy. CF, Wildlife, Chitorgarh
Ramsagar Sanctuary	District Collector, Dholpur	SDO, Bari	HWW, Dholpur	Pradhan, P.S., Bari	Dy. CF, Dholpur
Kesarbagh Sanctuary	District Collector, Dholpur	SDO, Dholpur	HWW, Dholpur	Chairperson Nagarpalika and Pradhan, P.S., Dholpur	Dy. CF, Dholpur
Mount Abu Sanctuary	District Collector, Sirohi	SDO, Mt. Abu.	HWW, Sirohi	Chairperson Nagarpalika, Mt. Abu	Dy. CF, Wildlife, Mt. Abu
		SDO, Sirohi		Pradhan, P.S., Mt. Abu	
		SDO, Revder		Pradhan, P.S., Revder	
				Pradhan, P.S., Pindwara	

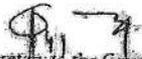
The terms of reference for the above committees will be the following:-

- a. Prepare an inventory of the different land use patterns and the different types of activities, types and number of industries operating within 10 kms from the boundary of Protected Area being considered as per guidelines.
- b. Prepare proposals in accordance to various decisions/orders of the Hon'ble Supreme Court on the issue of Eco-sensitive zones.
- c. Extent of eco-sensitive zones for the Protected Area being considered.
- d. The requirement of such a zone to act as a shock absorber.
- e. To suggest the best methods for management of the Eco-sensitive zones, so suggested.
- f. To suggest broad based thematic activities to be included in the Master Plan for the region.
- g. Prepare a check list, inter-alia, indicating the relevance and/or the presence of all the 26 activities listed in Annexure 1 of the guidelines and append to the proposals. Any additional activity that the committee intends may also be incorporated in the proposals.

include proper maps as envisaged in Annexure 2 of the guidelines and append them with proposals.

The committees will submit their report along with the draft notification as per the Environmental Protection Act, 1986 within two months of the issue of this order for consideration to the Chief Wildlife Warden, Rajasthan who will process and finalize the proposals and propose the draft notification for declaring the Eco-sensitive zones around Critical Tiger Habitats, National Parks and Wildlife sanctuaries to the State Government.

The tenure of the committees will be till further orders and Forest Department will be the administrative department for the committees.

  
Deputy Secretary to the Government

2.7.12

Following for information & necessary action:-

1. Secretary to H.E. the Governor, Rajasthan, Jaipur
2. Principal Secretary to Hon'ble Chief Minister, Rajasthan
3. PS to All Ministers
4. PS to Chief Secretary, Govt. of Rajasthan, Jaipur
5. All Additional Chief Secretaries/Pr. Secretaries/Secretaries, Govt. of Rajasthan, Jaipur.
6. Principal Chief Conservator of Forests (HoFF), Rajasthan, Jaipur - with extra copies with a request to get it circulated to all Members along with the copy of Ministry of Environment and Forests letter no. 1-9/2007 WL-1(Pt) dated 9.2.2011 and the copy of guideline.
7. Principal Chief Conservator of Forests & Chief Wildlife Warden, Rajasthan, Jaipur.
8. All Chief Conservator of Forests
9. All District Collectors
10. All Dy. Conservator of Forests / Division Forests Officers / Dy. Chief Wildlife Wardens.
11. Mayor, Nagar Nigam \_\_\_\_\_ / Chairperson, Nagar Palika
12. President, Nagar Parishads \_\_\_\_\_ / Pradhans, Panchayat Samiti
13. All Honorary Wildlife Wardens

Deputy Secretary to the Government

## कार्यालय उप वन संरक्षक, वन्यजीव, चित्तौड़गढ़

Phone No. 01472-244915

E-mail ID - dcfw@chittorgarh@gmail.com

क्रमांक-एफ( ) सर्व/सबस/कजी/2020-21/3248

दिनांक : 7/9/2020

## बैठक कार्यवाही विवरण

बस्ती वन्यजीव अभयारण्य को प्रस्तावित ईको सेन्सिटिव जोन की प्रारम्भिक अधिसूचना पर प्राप्त अभ्यावेदनों के निस्तारण हेतु राज्य सरकार द्वारा गठित कमेटी को जिला कलेक्टर चित्तौड़गढ़ की अध्यक्षता में आयोजित बैठक दिनांक 04.09.2020

भारत सरकार द्वारा बस्ती वन्यजीव अभयारण्य का इलाहा Eco Sensitive Zone नोटिफिकेशन S. O. No. 4008 (E) dated 04.11.2019 Published dated 06.11.2019 से भारत के राजपूत में प्रकाशित किया गया है। उक्त नोटिफिकेशन पर भारत सरकार द्वारा 80 दिवस की अवधि में आमजन से आपत्ति/अभ्यावेदन मागे गये जिस पर भारत सरकार व इस कार्यालय को आपत्ति/अभ्यावेदन प्राप्त हुए, जिनके निस्तारण हेतु जिला कलेक्टर चित्तौड़गढ़ की अध्यक्षता में दिनांक 04.09.2020 को प्रातः 11:30 बजे प्राणीय विकास समारोह चित्तौड़गढ़ में राज्य सरकार द्वारा गठित कमेटी व अभ्यावेदनकर्ताओं की एक संयुक्त बैठक आयोजित की गई। बैठक में उपस्थित अधिकारी/कर्मचारी जनप्रतिनिधी एवं अभ्यावेदनकर्ताओं की सूची प्रशिष्ट-अ पर है।

बैठक में सर्वप्रथम सचिव एवं उप वन संरक्षक वन्यजीव चित्तौड़गढ़ ने बताया कि बस्ती वन्यजीव अभयारण्य के प्रस्तावित ईको सेन्सिटिव जोन की प्रारम्भिक अधिसूचना भारत सरकार के राजपूत असाधारण से पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय द्वारा अधिसूचना क्रमांक S. O. No. 4008 (E) dated 04.11.2019 Published dated 06.11.2019 से प्रकाशित की गई। उक्त अधिसूचना पर प्राप्त आपत्तियों/अभ्यावेदनो के निस्तारण हेतु राज्य सरकार द्वारा गठित कमेटी द्वारा निस्तारण किया जाना है। तदुपरांत भावर पोर्टल प्रजेंटेशन के माध्यम से बस्ती वन्यजीव अभयारण्य एवं इसको प्रस्तावित ईको सेन्सिटिव जोन के संबंध में शिष्ट जानकारी की गई, तत्पश्चात कमेटी के अध्यक्ष महोदय एवं जिला कलेक्टर चित्तौड़गढ़ ने उपस्थित अभ्यावेदनकर्ताओं से पारसोती ग्राम के पास स्थित 66 वर्षीय खदानों को उचित ईको सेन्सिटिव जोन की सीमा से बाहर करने का आग्रह किया। जिला कलेक्टर महोदय ने खान विभाग के प्रतिनिधि से पूछा कि उक्त खदानों को बाहर करने का आग्रह किया। जिला कलेक्टर महोदय ने खान विभाग के प्रतिनिधि को निर्देश दिये कि उक्त खदानों को बाहर करने से आदिता है तथा वर्तमान में कितनी खदानें बांधू है की सूची खनि अगिचंता द्वारा प्रमाणित की जाकर उप वन संरक्षक वन्यजीव चित्तौड़गढ़ को उपलब्ध करवाई जावे।

तत्पश्चात अध्यक्ष महोदय ने कमेटी के सदस्यों से विचार-विमर्श कर सबसचिव (उप वन संरक्षक वन्यजीव चित्तौड़गढ़) तथा खनि अगिचंता को एक संयुक्त सर्वे कर बस्ती वन्यजीव अभयारण्य की उत्तरी सीमा से उक्त खदानें न्यूनतम किन्ती दूरी पर स्थित हैं एवं इन खदानों को बाहर निकालते हुए ईको सेन्सिटिव जोन की प्रस्तावित उत्तरी सीमा का पुनः निर्धारण (स्थाई विशेषता यथा सबस, नासा/बंदी, कच्चा रास्ता इत्यादि को आधार मानते हुए) किया जाये तथा इसको सेन्सिटिव जोन की उक्त सीमा अभयारण्य की सीमा से कम से कम 1 किमी दूरी पर रखी जावे। के निर्देश दिये जाकर रिपोर्ट प्रस्तुत करने हेतु निर्देशित किया गया।

बैठक राण्यवाद समाप्त हुई।



(सुगना राना जाट), IFS

सदस्य सचिव एवं उप वन संरक्षक

वन्यजीव, चित्तौड़गढ़

दिनांक : 7/9/2020

क्रमांक-एफ( ) सर्व/सबस/कजी/2020-21/3249-54  
प्रतिनिधि : निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है-

1. जिला कलेक्टर चित्तौड़गढ़ एवं अध्यक्ष, ईको सेन्सिटिव जोन कमेटी बस्ती वन्यजीव अभयारण्य।
2. उपखण्ड अधिकारी वेगू एवं सदस्य, ईको सेन्सिटिव जोन कमेटी बस्ती वन्यजीव अभयारण्य।
3. प्रधान पंचायत समिति वेगू एवं सदस्य, ईको सेन्सिटिव जोन कमेटी बस्ती वन्यजीव अभयारण्य।
4. खनि अगिचंता चित्तौड़गढ़।
5. सहायक वन संरक्षक वन्यजीव बस्ती।
6. क्षेत्रीय वन अधिकारी वन्यजीव बस्ती।



(सुगना राना जाट), IFS

सदस्य सचिव एवं उप वन संरक्षक

वन्यजीव, चित्तौड़गढ़

# कार्यालय उप वन संरक्षक, वन्यजीव, वित्तोडगढ़ 80

Phone No. 01472-244915

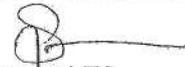
E-mail ID - dcfwlcbittoorgarh@gmail.com

क्रमांक :एफ( ) सर्वे/उपसर्वे/कजी/2020-21/

दिनांक :

बस्ती वन्यजीव अभयारण्य के प्रस्तावित ईको सैसिटिव जोन की आरंभिक अधिसूचना पर प्राप्त अभ्यावेदनों के निस्तारण हेतु राज्य सरकार द्वारा गठित कमेटी की जिला कलेक्टर वित्तोडगढ़ की अध्यक्षता में आयोजित बैठक दिनांक 04.09.2020 में उपस्थित अधिकारी/कर्मचारी/जनप्रतिनिधि एवं अभ्यावेदनकर्ताओं की सूची

क्र.सं.	नाम अधिकारी/कर्मचारी/जनप्रतिनिधि एवं अभ्यावेदनकर्ता	पदनाम	विव.
1	श्री के.के. शर्मा	जिला कलेक्टर वित्तोडगढ़	अध्यक्ष, ईको सैसिटिव जोन कमेटी बस्ती वन्यजीव अभयारण्य
2	श्री मुकेश कुमार कलाल	अति. जिला कलेक्टर (राजस्व) वित्तोडगढ़	-
3	श्री सुगनाराम जाट	उप वन संरक्षक वन्यजीव वित्तोडगढ़	सदस्य सचिव, ईको सैसिटिव जोन कमेटी बस्ती वन्यजीव अभयारण्य
4	श्री सुनील कुमार सिंह	सहायक वन संरक्षक वन्यजीव बस्ती	-
5	श्री ओमप्रकाश सोमानी	अति. प्रशासनिक अधिकारी	-
6	श्री रामेश्वर लाल वैष्णव	अधीक्षक	-
7	श्री नितेश कुमार शर्मा	वनरक्षक	सर्वे शाखा ईंचार्ज
8	श्री राजेन्द्र सिंह सटौड़	कनिष्ठ सहायक	प्रतिनिधि, खनि अभियंता वित्तोडगढ़।
9	श्री श्याम सुन्दर साहू	-	अभ्यावेदनकर्ता
10	श्री लामचन्द्र गुर्जर	-	अभ्यावेदनकर्ता
11	श्री धियूष धाबाई	-	अभ्यावेदनकर्ता
12	श्री केलाशचन्द्र लुहार	-	अभ्यावेदनकर्ता
13	श्री सुरेश कुमार सबनानी	-	अभ्यावेदनकर्ता
14	श्री दुर्गाश कुमार गुर्जर	-	अभ्यावेदनकर्ता
15	श्री सत्यनाशयण माली	-	अभ्यावेदनकर्ता
16	श्री पप्पू शर्मा	-	अभ्यावेदनकर्ता
17	श्री मेरूलाल मेवाड़ा	-	अभ्यावेदनकर्ता
18	श्री पृथ्वी सिंह	-	अभ्यावेदनकर्ता
19	श्री नारायण गुर्जर	-	अभ्यावेदनकर्ता
20	श्री महेन्द्र कुमार	-	अभ्यावेदनकर्ता



(सुगना राम जाट), IFS  
सदस्य सचिव एवं उप वन संरक्षक  
वन्यजीव, वित्तोडगढ़



**भारत का राजपत्र**  
The Gazette of India

सी.जी.-डी.एल.-अ.-01052021-226807  
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असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (II)  
PART II—Section 3—Sub-section (II)

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 1593]  
No. 1593]

नई दिल्ली, शुक्रवार, अप्रैल 30, 2021/ वैशाख 10, 1943  
NEW DELHI, FRIDAY, APRIL 30, 2021/ VAISAKHA 10, 1943

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय  
अधिसूचना

नई दिल्ली, 8 अप्रैल, 2021

का.आ. 1717(ब).—प्रारूप अधिसूचना भारत के राजपत्र, असाधारण, भारत सरकार के पर्यावरण, वन और जलवायु परिवर्तन, मंत्रालय की अधिसूचना सं. का.आ. 4008 (अ), तारीख 4 नवम्बर, 2019, द्वारा प्रकाशित की गई थी जिसमें ऐसे सभी व्यक्तियों से, जिनकी उससे प्रभावित होने की संभावना थी, उस तारीख से, जिसको उक्त अधिसूचना को अन्तर्विष्ट करने वाले राजपत्र की प्रतियां जनता को उपलब्ध करा दी गई थीं, साठ दिन की अवधि के भीतर आपेक्ष और सुझाव आमंत्रित किए गए थे;

और, उक्त प्रारूप अधिसूचना को अन्तर्विष्ट करने वाले राजपत्र की प्रतियां जनता को तारीख 6 नवम्बर, 2019, को उपलब्ध करा दी गई थीं;

और, पूर्वोक्त प्रारूप अधिसूचना के प्रत्युत्तर में व्यक्तियों और पणधारियों से प्राप्त आक्षेपों और सुझावों पर केंद्रीय सरकार द्वारा विचार किया गया था;

और, बस्सी वन्यजीव अभयारण्य 138.69 वर्ग किलोमीटर क्षेत्रफल में फैला हुआ है और राजस्थान राज्य में चित्तौड़गढ़ जिले के चित्तौड़गढ़ और वैगून तहसील में स्थित है;

और, अधिसूचना में उल्लिखित है कि बस्सी वन्यजीव अभयारण्य की सीमा अधिसूचना में राजस्व क्षेत्र अभयारण्य का भाग नहीं है। ओराई नदी को पार करके जो कि इस अभयारण्य से ओराई और बस्सी बांधों को निर्मित किया गया है। यह बांध जंगली पशुओं और पक्षियों के लिए अच्छी जल सुविधा प्रदान करता है। यह जंगली पशुओं और पक्षियों के लिए के विभिन्न प्रकार के वास के साथ समृद्ध जैव-विविधता का वास है। इस क्षेत्र में औपधीय पौधे और जड़ी-बूटियों की विविधता पाई जाती है। धार्मिक स्थल जैसे भरिया महादेव, तूकरा माता और झालेश्वर महादेव तीर्थयात्रियों की वृहत् संख्या को आकर्षित करता है;

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और, अभयारण्य की मुख्य वृक्ष प्रजातियां अकेशिया कटेचु (बैर), अकेशिया लेउकोफोलिया (रॉस), अकेशिया निलोटीका (हेसी बावलिग), अकेशिया सेनेगल (कुमता), अदीना कोर्डिफोलिया (हलदु), एलेग मार्मेलोस (बिलि), ऐलैथस एक्सलेसा (अरदुसा, पाबा), अलेगियम सलविकोफियम (अनकोल), अलबिजिया लेबेक (ब्लैक सिरिस), अलबिजिया ओडोरतिस्सिमा (सफेद सिरिस), अल्बिजिया प्रोसेरा (सफेद सिरिस), अन्नोना सेक्यूमोसा (सिताफल), अनोगेस्सुस पेंदुला (धोकडा), अनोगेस्सुस लतीफोलिया (धावदा), अनोगेस्सुस सेरिकिया (अदरुका, इंदूक), अनोगेस्सुस अकुमिनाआ (धोक), अजादीराटा इंडिका (नीम), बलानिटेस ऐग्यपतिका (हिंगोट), बउहेनिया रेकेमोसा (जीआ, हीतरी), बोम्बक्स केडबा (सैमल), बोसवेल्लीया सेरटा (सवार), ब्यूटिया मोनोस्पेर्मा (खाखरो), कैशिया फिस्तुला (करमेला), कैशिया सैमेया (कसिद), कोदीया मिन्सा (गुंदा, लिसोदा), करेटवा रेलिगिओसा (वरना), डालबेरगिया सिस्सु (सिस्सु), दीओस्पयरोस मेलानोक्यलोन (तिमरू), इहरेटिया लेविस (ताम्बोलिया), इम्बलिका ओपिफिनोलासि (अमला), एरीश्रिना सुबेरोसा (घेद खाखरो), यूकेलिप्टस स्पा. (निलगिरी), फिकुस बेंथालेसिस (बाद), फिकुस रेकेमोसा (उमारा), फिकुस रेसिपिओसा (पिपलो), फलाकोउरतिया मोंटाना (कांकां), गरदेनिया रेसिनिफेरा (दीकामारी), ग्रेविया हीरसुता (खाड धामन), ग्रेविया तेनाम्स (गंगेटी), ग्रेया टिलियाफोलिया (धामन), ग्रेया विलोसा (गैंगेटी), होलोपेलिया इंटिफोलिया (कांजी), हिमेनोडिक्टोन एक्सलेस (कुनिओ), लात्रेया कोरोमंडेलिका (गोदला), लेकेदना लेउकोकेफला (सुबाबुल), लिमोनिया अकेडीस्सिमा (कोतवाडि), मधुका इंडिका (महुदो), मांगिफेरा इंडिका (अम्बा), मैलिया एंजेडेरच (बैकैन नीम), मित्राग्याना परविफ्लोरा (कलम), मोरिंगा ओलीफेरा (सहजाना), पियेकेल्लोबिडम दुलका (किकर), पोंगामिया पित्राटा (करंज), प्रोसोपिस किनेरॉया (खिजदो), प्रोरोसोपस जुलिफलोरा (विलायती), सोयमिदा फबरीफुगा (रोयान), स्टेरकुलिया उरेंस (कदया), टमरिंदुस इंडिका (खतरी अमली), टेकोमेलिया उंदुलाटा (रोहीदा), वरिषटिया टिक्टोरिया (दुधी), वरीषटिया टोमेंटोसा (दुधी), जिज़िफस मउरीटिना (बोरदी), जिज़िफस थ्यलोफ्यरुस (घाट बोर), आदि हैं;

और, अभयारण्य से झाड़ियां अलेवोन्सुस भानिहोट (जंगली भिन्दी), एचीरान्थुस एस्पेरा (उलटा कांटा), एलो वेरा (पाथा), ब्रैसिका निग्रा (काली राई), कैनबिस सैतिवा (भांग), कैशिया अबरुस (चिमोड), कैशिया तोरा (पुवाड), चेनोपोडियम एलबम (चिल), क्रोटोलारिया जुन्केया (सनिया), क्रोटोलारिया मेडिसिनिया (रान मेथी), डेसमोडियम डाइकोटोमम (शाल परनी), इकलिप्टा अल्बा (भांगारो), इवोल्वुस असोसिनोइडस (कालीशंखावली), लेउकास एस्पेरा (कुबी), लेउकेस केफलोटेस (कुबो जुंगली), लेउकस जेयलानिका (कुबो), लिनेडेंबेरगिया इंडिका (पाथारचाटी), ओकिमुन कनुम (जंगली तुलसी), फयल्लॉयुस निरूरी (भोग अमली), फयसालिस मिनिमा (पोपाटिया), पोरतुलाकेया ओलाराकेया (मोटी लुनी), प्रोरतुलाकेया क्वदरीफिदा (जिनी लुनी), सैस्मम इंडिकम (ताल), सोलानुम सुरांटेस (बोइ रिगनी), तबीबुलुस टेरेंस्टीस (गोखरू), त्रिडेन्स प्रोकुम्बेस (काली मेंदी), उरगिनिया इंडिका (जंगली पियाज), वेरनोनिया अनथिहेलमिनटिका (काली जिरी), ब्रथियम स्टेरुमारीयम (गोखारू), जोरनिया डिफायल्ला (समार अनी), आदि अभिलिखित की गई हैं;

और, अभयारण्य में मुख्य झाड़ियां अघाटोडा वेसिका (अरदुसा), कलोटरोफिस गिंगंटीया (अकडो), केलोटोरोपिस प्रोकेरा (अकदो), कम्पेरिस देकदुया (केर), केम्परिस सेपिरिया (कंथेर), ब्लेरोडेंड्रॉन फलोमीडीस (अरानी), डेंड्रोकोलामस स्ट्रस (बैनस), डेंड्रोपथो फुलकुटा (वाही-हंकर), डिक्लोस्टैचिस किनेरिया (गोया बैर), इयफोर्बिआ कडुईफोलिया (थोर), इयफोरबिया निबुलिया (थोर), हेलेकटेरेस इसोरा (मरोड फाली), होलाहेंना एंटीडीसेंटीका (कडवा), जतरोफा कर्कुस (रतन ज्योत), जतरोफा गोस्सयफिकोलिया (छोटि रतन ज्योत), किरागानेलिया रेटिकुलाटा (कम्बोइ), लेप्तादेनिया पयरोटेचनिका (खिप), मिमोसा हमेटा (अडला), निक्टैथस अरबोर-ट्रिस्टिस (तमात), प्लुम्बेगो जेयलानिका (चित्राक), रिक्नुस कोमुनिस (अरुंदो), सेकुरिनिया लेयकूप्यरुस (सेनवि), थेस्पेसिया लेम्पास (परास पिपल), विटेक्स किनेरॉया (नगोड), बोगेलिया इंडिका (चितवाल), वूडफॉर्डिया फ्रुटीकोसा (धावदी), जिज़िफस गलाबेराटा (बोरदी), जिज़िफस नुम्गुलारिया (चनिबोर), आदि उपलब्ध हैं;

और, बस्सी वन्यजीव अभयारण्य से मुख्य पर्वतारोही पौधे अबरुस प्रेकटोरीउस (राष्ट्री), अम्पेलोकिस्सुस लतीफोलिया (बाटा लिम्बु), ऐस्पेरामस रेकेमोसुस (सतवारी), केरडीओस्पेरेमम हलीककबुम (कक मरदीका), केलसट्रस पानिकुलता (माली), किस्सास्पेलोस पेरेइरा (पहोद वेल), कोकिनिया इंडिका (दिन्डोरी), कोककुलुस हिर्दुस (वेवडी), कल्फूटा रिपलेक्स (अमरबेल), डागोस्कोरिया बुलबिफेरा (वाराही कंड), हेमिदेस्मस इंडिकुस (दुधवेल), लपोमोइथा निल (कालादाना), लुपिफया अकुटांगुला (तुरिया), लुपफा इचीनता (काकडवेल), मुकुना परूरीइनस (कवच), पेउरारिया तवेरोसा (गेजवी), रायनचोसिस ब्रेकटेअटा (कमल वेल), आदि अभिलिखित हैं;

और, बस्सी वन्यजीव अभयारण्य में मुख्य जीवजंतु बतैला सुअर (सस स्कोफ), ग्रे मुसक सेराव (सुंचुस मृगीनुस), चमगादड़ (क्यनोप्टेरस स्फिक्स), फलाइंग लोमड़ी (पेटरोपुस गीगेंटिक्स), तेंदुआ (पेन्थेरा प्रड्यूस), सामान्य नंगूर (ब्रेबयतीस इन्तेल्लुस), चिनीदार लकडबन्धा (हेना हेना), बानबिलार (फेलिस चारुस), फाइव स्टीपेड पाम गिलहरी (फुनाम्बुलुस पेजॉटी), भारतीय माल (मानिस कैसिकाउडाटा), भारतीय लोमड़ी (वुल्फस बैंगलैसिस), सामान्य नेवला

(हेरिपेस्टेस इडवारडसी), रूड्डी नेवला (एच. स्मिथी), हाउस रेट (रट्टुस रट्टुस), ब्लू बुल (बोसेलाकुस ट्रापानोकेमेल्स), भारतीय खरगोश (लेपुस निगरीकोल्लीस), भारतीय साही (हिस्ट्रीक्स इंडिका), बिन्कारा (गजेला गजेला), सियार (कैनिस ऑरियस), भारतीय छोटा सिवित (विवारीकुला इंडिका), भारतीय बुल्ल मॅडक (राना टिगरिना), भारतीय बुरोइंग मॅडक (आर.टोमोपेटेरना), स्किप्पर मॅडक (आर.कयनोफ्लीविटउस), क्रिकेट मॅडक (आर.लिफ्नोचारिस), भारतीय बलून मॅडक (उपरोदोन स्व्यटोमा), सामान्य टोड (बुफो मेलानोफलीविटउस), मार्ब्लेड टोड (बी.अनदेसॉनी), सामान्य स्किंक (मायुया केनाटा), चेक्रेड कैलबैक (नाटरीकस पिस्कटोर), रेट सांप (पतयास मुकोसुस), हाउस लिजार्ड (हेमिदाकटयलुस फलाविविरीदीस), स्टैरेड कछुआ (गोआचालोने इलेगांस), ग्राईन लिजार्ड(कलोटेस वेरसिकोलोर), सामान्य भारतीय करैत (बुंगारुस कैरुलेनस), रूस्सेल नाग (विपर रूस्सेल्ली), भारतीय चामेलेओन (चामेलेओन ज़ेलानिकस), कटला (कटला कटला), रोड्डु (लाबेओ रोलिटा), गरीगल (किर्राहीना मरिगल), पुट्टही (पुन्तिउस साराना), सारसी (लेबेओग्रानीउस), लंची (बाल्लगो अट्टु), सिंधारा (मयस्टस सैपाठी), कंटेर (मयस्टस कवास्सिउस), सेवाल (चाबा मन्तिलिउस), सिमही (हेटोपंतुस्टिस फॉसिलिस), बाम (एम. अरमातुस), सुदया (बेल्लाना कॉसिला), वाता (लाबेओ बाता), दुधिया (लेबेओ बुगोेट), आदि पाए जाते है;

और, बस्सी वन्यजीव अभयारण्य से पक्षी प्रजातियां पेंटेड फरांकोलिन (फरांकोलिन पिकटस), ग्रे फ्रैकोलिन (एफ.पौदीकेरीअनुस), सामान्य बटेर (कोतुरनिकस ओतुरनिकस), वॉरंड बटन बटेर (टी. सुस्किटतोर), भारतीय मोर (पावो क्रुरीस्तुस), रूड शेल्डक (टोडोराना फेरुगिनेया), गडवाल(अनास स्ट्रेपा), यूरोशियन विजेओन (ए.पेनेलोपा), स्पॉट-बिल्ड डक (ए. पोइकिलोयह्यंचा), सामान्य पोचार्ड (आयथा फरिना), सामान्य टैल (ए.क्रेक्का), येलो-क्रोनेड बुडपैकर (डेंड्रोकोपोस महाराट्टेनिस), ब्लैक रोम्पड फ्लामेबाक(डिनोपियम बेंघालेंसिस), कोपेरसिमथ बारबेट (एम. हैमकैफला), भारतीय ग्रे हार्नबिल्ल (ओकयकेरोस बिरोस्तरसी), सामान्य हुपु (उपुपा इपोप्स), इररोपेन रोल्लेर (कोरोकिंस बेंघालेंसिस), भारतीय रोल्लेर (सी. बेंघालेंसिस), सामान्य किंगफिशर (उपुपा इपोप्स), वाइट-ग्रीटेड किंगफिशर (हेलसीयन स्माइनेसिस), विचित्र किंगफिशर (केरयले रूडिस), ग्रीन बी-ईटर (मेरोप्स ओरिइंटलिस), रोज-रिंगेड पाराकैत (पी.करामेदी प्लुम-हेडेड पाराकीट (पी. कीनोसिलाला), हाउस स्वीफ्ट (अपुस अफिफनिस), यूरोशियन ईगल उल्लू (बुबो बुबो), स्पोट्टेड उल्लू (अथेने बरामा), भारतीय निचतजागर (कप्रिमुल्जार एशियाटिकस), कावाभ्रा नाइटजर (सी.अफिफनिस), रॉक कबूतर (कोयुम्बा लिविया), येलो-फुटेड ग्रीन पिजन (तर्गेओन फोइनिकोप्टेरा), लउधर्गी कबूतर (स्टेरेप्टोपेलिया सेनेगालेंसिस), स्पोट्टेड कबूतर (एस.चिनेंसिस), यूरोपियन कॉल्लारंगड कबूतर (एस. डेकोओक्टो), सामान्य मोरेन (गल्लिनुला क्लोरोपस), सामान्य नूट (फुलिगा अतरा), सामान्य रेडवांक (ट्रिगा नेटनस), ग्रीन सैंडपाइपर (टी.ऑकोपस), बुड सैंडपाइपर(टी. र्नेरोला), सामान्य सैंडपाइपर (एकटाइटिम हाइपोलेक्योम), यूरोपियन थिंक-कनी (बुरहितुस ओडिसीनेमस), छोटा-रिंगड प्लोवर (चराट्ट्रियस इवियस), रेड-बॉल्लड लैपविंग (वनेल्लुस इंडिकस), रिबर टर्न (स्टर्न अर्टेटिया), ब्लैक-शोल्ड काइट (एलेनस केडरूलेउस), ब्लैक काइट (मिब्सु मिगरांस), डजिप्टिअन गिद्ध (नेओफरोन पेग्नोपटेरुस), आदि अफिलिखित है;

और, बस्सी वन्यजीव अभयारण्य के चारों ओर के क्षेत्र को, जिसका विस्तार और सीमाएं पारिस्थितिकी पर्यावरणीय में पारिस्थितिकी संवेदी जोन के रूप में पैरा 1 में चिनिर्दिष्ट हैं, जैव विविधिता की दृष्टि सुरक्षित और संरक्षित करना और उक्त पारिस्थितिकी संवेदी जोन में उद्योगों या उद्योगों के वर्गों के प्रचालन और प्रसंस्करण करने को प्रतिबिद्ध करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पर्यावरण (संरक्षण) नियम, 1986 के नियम 5 के उपनियम (3) के साथ पठित पर्यावरण (संरक्षण) अधिनियम, 1986 (1986 का 29) (जिसे इस अधिसूचना में इसके पश्चात पर्यावरण अधिनियम कहा गया है) की धारा 3 की उपधारा (1) और उपधारा (2) के खंड (v) और खंड (xiv) तथा उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राजस्थान राज्य में चित्तौड़गढ़ जिला के बस्सी वन्यजीव अभयारण्य की सीमा के चारों ओर शून्य से 3.0 किलोमीटर विस्तारित क्षेत्र को पारिस्थितिकी संवेदी जोन (जिसे इसमें इसके पश्चात् पारिस्थितिकी संवेदी जोन कहा गया है) के रूप में अधिसूचित करती है, जिसका विवरण निम्नानुसार है, अर्थात् :-

1. पारिस्थितिकी संवेदी जोन का विस्तार और सीमा.-(1) पारिस्थितिकी संवेदी जोन का विस्तार बस्सी वन्यजीव अभयारण्य की सीमा के चारों ओर शून्य से 3.0 किलोमीटर तक विस्तृत होगा और पारिस्थितिकी संवेदी जोन का क्षेत्रफल 106.91 वर्ग किलोमीटर है। स्थानों में पारिस्थितिकी संवेदी जोन का न्यूनतम विस्तार शून्य है जहां राष्ट्रीय राजमार्ग और पीडब्ल्यूडी सड़क पारिस्थितिकी संवेदी जोन की सीमा पर चिह्नित है।

दिशा	पारिस्थितिकी संवेदी जोन सीमा बिंदु	दूरी
उत्तर	1 से 14	0 से 3 किलोमीटर
उत्तर-पूर्व	14 से 17	0.015 से 0.5 किलोमीटर
पूर्व	17 से 48	0 से 1.11 किलोमीटर
दक्षिण-पूर्व	48 से 58	0 से 3 किलोमीटर
दक्षिण	58 से 81	0.5 से 3 किलोमीटर
दक्षिण-पश्चिम	81 से 84	0.157 से 1.4 किलोमीटर
पश्चिम	84 से 89	0.015 से 0.325 किलोमीटर
उत्तर-पश्चिम	89 से 1	0.030 से 0.650 किलोमीटर

- (2) बस्ती वन्यजीव अभयारण्य और इसके पारिस्थितिकी संवेदी जोन की सीमा का विवरण उपाबंध-I के रूप में संलग्न है।
- (3) सीमा विवरण और अक्षांशों और देशांतरों के साथ पारिस्थितिकी संवेदी जोन के सीमांकन को दर्शाते हुए बस्ती वन्यजीव अभयारण्य के मानचित्र उपाबंध-IIक, उपाबंध-IIख और उपाबंध-IIग के रूप में संलग्न है।
- (4) पारिस्थितिकी संवेदी जोन और बस्ती वन्यजीव अभयारण्य की सीमा के भू-निर्देशांकों की सूची उपाबंध-III के सारणी क और सारणी ख में दी गई है।
- (5) मुख्य बिंदुओं के भू-निर्देशांकों के साथ पारिस्थितिकी संवेदी जोन के अंतर्गत आने वाले ग्रामों की सूची उपाबंध-IV के रूप में संलग्न है।

2. पारिस्थितिकी संवेदी जोन के लिए आंचलिक महायोजना- (1) राज्य सरकार, पारिस्थितिकी संवेदी जोन के प्रयोजनों के लिए राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से दो वर्ष की अवधि के भीतर, स्थानीय व्यक्तियों के परामर्श से और राज्य के सक्षम प्राधिकारी के अनुमोदन के लिए इस अधिसूचना में दिए गए अनुबंधों का पालन करते हुए आंचलिक महायोजना तैयार करेगी।

(2) राज्य सरकार द्वारा पारिस्थितिकी संवेदी जोन के लिए आंचलिक महायोजना ऐसी रीति से जो इस अधिसूचना में विनिर्दिष्ट किए गए हैं, के अनुसार तथा सुसंगत केंद्रीय और राज्य विधियों के अनुरूप और केंद्रीय सरकार द्वारा जारी मार्गनिर्देशों, यदि कोई हों, द्वारा तैयार होगी।

(3) आंचलिक महायोजना, उक्त योजना में पारिस्थितिकी और पर्यावरणीय बातों को समाकलित करने के लिए राज्य सरकार के निम्नलिखित विभागों के परामर्श से तैयार होगी:-

- (i) पर्यावरण;
- (ii) वन और वन्यजीव;
- (iii) कृषि;
- (iv) राजस्व;
- (v) शहरी विकास;
- (vi) पर्यटन;
- (vii) ग्रामीण विकास;
- (viii) सिंचाई और बाढ़ नियंत्रण;
- (ix) नगरपालिका;
- (x) पंचायती राज; और
- (xi) लोक निर्माण विभाग।

(4) आंचलिक महायोजना अनुमोदित विद्यमान भू-उपयोग, अवसंरचना और क्रियाकलापों पर कोई निर्बंधन अधिरोपित नहीं करेगी जब तक कि इस अधिसूचना में इस प्रकार विनिर्दिष्ट न हो और आंचलिक महायोजना सभी अवसंरचना और क्रियाकलापों में, जो अधिक दक्षता और पारिस्थितिकी अनुकूल हों, का संवर्धन करेगी।

- (5) आंचलिक महायोजना में अनाच्छादित क्षेत्रों के जीर्णोद्धार, विद्यमान जल निकायों के संरक्षण, आवाह क्षेत्रों के प्रबंधन, जल-संभरों के प्रबंधन, भूतल जल के प्रबंधन, मृदा और नदी संरक्षण, स्थानीय समुदायों की आवश्यकताओं तथा पारिस्थितिकी और पर्यावरण से संबंधित ऐसे अन्य पहलुओं, जिन पर ध्यान देना आवश्यक है, के लिए उपबंध होंगे।
- (6) आंचलिक महायोजना विद्यमान और प्रस्तावित भूमि उपयोग विशेषताओं के ब्योंरों से अनुसमर्थित मानचित्र के साथ सभी विद्यमान पूरा स्थलों, ग्रामों और नगरीय बस्तियों, वनों के प्रकार और किस्मों, कृषि क्षेत्रों, ऊपजाऊ भूमि, हरित क्षेत्र जैसे उद्यान और उसी प्रकार के स्थान, उद्यान कृषि क्षेत्र, फलोउद्यान, झीलों और अन्य जल निकायों का अभ्यंकन करेगी।
- (7) आंचलिक महायोजना पारिस्थितिकी संवेदी जोन में विकास को विनियमित करेगी और सारणी में सूचीबद्ध पैरा-4 में प्रतिषिद्ध और विनियमित क्रियाकलापों का अनुपालन करेगी और स्थानीय समुदायों की जीविका को सुरक्षित करने के लिए पारिस्थितिकी अनुकूल विकास को सुनिश्चित और उसकी अभिवृद्धि भी करेगी।
- (8) आंचलिक महायोजना प्रादेशिक विकास योजना की सह विस्तारी होगी।
- (9) इस प्रकार अनुमोदित आंचलिक महायोजना इस अधिसूचना के उपबंधों के अनुसार निगरानी के अपने कार्यों को करने के लिए मानीटरी समिति के लिए एक संदर्भ दस्तावेज तैयार करेगी।

3. राज्य सरकार द्वारा किए जाने वाले उपाय.- राज्य सरकार इस अधिसूचना के उपबंधों को प्रभावी करने के लिए निम्नलिखित उपाय करेगी, अर्थात्:-

- (1) भू-उपयोग.- (क) पारिस्थितिकी संवेदी जोन में वनों, उद्यान कृषि क्षेत्रों, कृषि क्षेत्रों, मनोरंजन के प्रयोजनों के लिए चिन्हित किए गए पारकों और खुले स्थानों का वाणिज्यिक या आवासीय या औद्योगिक संबद्ध विकास क्रियाकलापों के लिए उपयोग या संपरिवर्तन नहीं होगा:

परंतु पारिस्थितिकी संवेदी जोन के भीतर भाग (क) में विनिर्दिष्ट प्रयोजनों से भिन्न प्रयोजनों के लिए कृषि और अन्य भूमि का संपरिवर्तन मानीटरी समिति की सिफारिश पर और यथा लागू और क्षेत्रीय नगर योजना अधिनियम और केन्द्रीय सरकार या राज्य सरकार के अन्य नियमों तथा विनियमों के अधीन सक्षम प्राधिकारी के पूर्व अनुमोदन से, और इस अधिसूचना के उपबंधों द्वारा स्थानीय निवासियों की निम्नलिखित आवासीय आवश्यकताओं को पूरा करने के लिए अनुज्ञात किया जाएगा, जैसे:-

- (i) विद्यमान सड़कों को चौड़ा करना और उन्हें सुदृढ़ करना तथा नई सड़कों का संनिर्माण;
- (ii) बुनियादी ढांचों और नागरिक सुविधाओं का संनिर्माण और नवीकरण;
- (iii) प्रदूषण उत्पन्न न करने वाले सघु उद्योग;
- (iv) कुटीर उद्योगों जिनके अंतर्गत ग्रामीण उद्योग भी हैं; सुविधाजनक भण्डार और स्थानीय सुविधाएं सहायक पारिस्थितिकी पर्यटन जिनके अन्तर्गत गृह वास सम्मिलित है; और
- (v) पैग 4 के अधीन दिए गए संवर्धित क्रियाकलाप:

परंतु यह और कि प्रादेशिक नगर योजना अधिनियम और राज्य सरकार के अन्य नियमों और विनियमों के अधीन सक्षम प्राधिकारी के पूर्व अनुमोदन और संविधान के अनुच्छेद 244 के उपबंधों या तत्समय प्रवृत्त विधि के उपबंधों के अनुपालन के बिना, जिसके अधीन अनुसूचित जनजाति और अन्य परंपरागत वन निवासी (वन अधिकारों की मान्यता) अधिनियम, 2006 (2007 का 2) भी है, वाणिज्यिक या औद्योगिक विकास क्रियाकलापों के लिए जनजातीय भूमि का उपयोग अनुज्ञात नहीं होगा:

परंतु यह और भी कि पारिस्थितिकी संवेदी जोन के भीतर भू-अभिलेखों में उपसंज्ञात कोई गलती, मानीटरी समिति के विचार प्राप्त करने के पश्चात् राज्य सरकार द्वारा प्रत्येक मामले में एक बार ठीक होगी और उक्त गलती के सुधार की सूचना केन्द्रीय सरकार के पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय को दी जाएगी:

परंतु यह और भी कि गलती के सुधार में इस उप पैरा के अधीन यथा उपबंधित के सिवाय किसी भी दशा में भू-उपयोग का परिवर्तन सम्मिलित नहीं होगा;

(ख) वनीकरण तथा वास जीर्णोद्धार क्रियाकलापों सहित अप्रयुक्त या अनुत्पादक कृषि क्षेत्रों में पुनः वनीकरण करने के प्रयास किए जाएंगे।

(2) प्राकृतिक जल स्रोतों- आंचलिक महायोजना में सभी प्राकृतिक झरनों के आवाह क्षेत्रों की पहचान की जाएगी और उनके संरक्षण और नवीकरण के लिए योजना सम्मिलित होगी और राज्य सरकार द्वारा ऐसे क्षेत्रों पर या उनके निकट विकास क्रियाकलाप प्रतिषिद्ध करने के बारे में जो ऐसे क्षेत्रों के लिए अहितकर हों ऐसी रीति से मार्गदर्शक सिद्धांत तैयार किए जाएंगे।

(3) पर्यटन या पारिस्थितिकी पर्यटन.- (क) पारिस्थितिकी संवेदी जोन के भीतर सभी नए पारिस्थितिकी पर्यटन क्रियाकलाप या विद्यमान पर्यटन क्रियाकलापों का विस्तार पर्यटन महायोजना के अनुसार पारिस्थितिकी संवेदी जोन के लिए होगा।

(ख) पारिस्थितिकी पर्यटन महायोजना राज्य पर्यटन विभाग द्वारा राज्य पर्यावरण और वन विभाग के परामर्श से तैयार होगी।

(ग) पर्यटन महायोजना आंचलिक महायोजना के एक घटक के रूप में होगी।

(घ) पर्यटन महायोजना पारिस्थितिकी संवेदी जोन की वहन क्षमता के आधार पर तैयार की जाएगी।

(ङ) पारिस्थितिकी पर्यटन संबंधी क्रियाकलाप निम्नानुसार विनियमित होंगे, अर्थात्:-

(i) संरक्षित क्षेत्र की सीमा से एक किलोमीटर के भीतर या पारिस्थितिकी संवेदी जोन के विस्तार तक, इनमें जो भी निकट है, नये वाणिज्यिक होटल और रिजॉर्ट के सम्मिर्माण अनुज्ञात नहीं होंगे:

परंतु, यह कि संरक्षित क्षेत्र की सीमा से एक किलोमीटर की दूरी से परे पारिस्थितिकी संवेदी जोन के विस्तार तक होटलों और रिजॉर्ट का स्थापना केवल पूर्व परिभाषित और तामनिर्दिष्ट क्षेत्रों में पर्यटन महायोजना के अनुसार पारिस्थितिकी पर्यटन सुविधाओं के लिए ही अनुज्ञात होगा;

(ii) पारिस्थितिकी संवेदी जोन के भीतर सभी नए पर्यटन क्रियाकलापों या विद्यमान पर्यटन क्रियाकलापों का विस्तार केंद्रीय सरकार के पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय के मार्गदर्शक सिद्धांतों के द्वारा तथा राष्ट्रीय व्याघ्र संरक्षण प्राधिकरण, द्वारा जारी पारिस्थितिकी-पर्यटन, पारिस्थितिकी-शिक्षा और पारिस्थितिकी-विकास पर बल देते हुए (समय-समय पर यथा संशोधित) जारी मार्गदर्शक सिद्धांतों के अनुसार होगा;

(iii) आंचलिक महायोजना का अनुमोदन किए जाने तक, पर्यटन के लिए विकास और विद्यमान पर्यटन क्रियाकलापों के विस्तार को वास्तविक स्थल विनिर्दिष्ट संवीक्षा और मानीटरी समिति की सिफारिश पर आधारित संबंधित विनियामक प्राधिकरणों द्वारा अनुज्ञात किया जाएगा और पारिस्थितिकी संवेदी जोन के भीतर किसी नये होटल या रिजॉर्ट या वाणिज्यिक स्थापना का सम्मिर्माण अनुज्ञात नहीं किया जायेगा।

(4) नैसर्गिक विरासत.- पारिस्थितिकी संवेदी जोन में महत्वपूर्ण नैसर्गिक विरासत के सभी स्थलों जैसे जीन कोश आरक्षित क्षेत्र, शैल विरचनाएं, जल प्रपातों, झरनों, घाटी मार्गों, उपवनों, गुफाएं, स्थलों, भ्रमण, अश्वरोहण, प्रपातों आदि की पहचान की जाएगी और विरासत संरक्षण योजना आंचलिक महायोजना के भाग के रूप में परिरक्षण और संरक्षण के लिए तैयार की जाएगी।

(5) मानव निर्मित विरासत स्थल.- पारिस्थितिकी संवेदी जोन में भवनों, संरचनाओं, शिल्प-तथ्य, ऐतिहासिक, स्थापत्य, सौंदर्यपूरक और सांस्कृतिक महत्व के क्षेत्रों की और उपक्षेत्रों पहचान और उनके संरक्षण के लिए विरासत योजना आंचलिक महायोजना के भाग के रूप में तैयार की जाएगी।

(6) ध्वनि प्रदूषण.- पर्यावरण अधिनियम के अधीन ध्वनि प्रदूषण (विनियमन और नियंत्रण) नियम, 2000 में नियत उपबंधों के अनुसार पारिस्थितिकी संवेदी जोन में ध्वनि प्रदूषण के नियंत्रण और निवारण का अनुपालन किया जाएगा।

(7) वायु प्रदूषण.- पारिस्थितिकी संवेदी जोन में, वायु प्रदूषण के निवारण और नियंत्रण का वायु (प्रदूषण निवारण और नियंत्रण) अधिनियम, 1981 (1981 का 14) और उसके अधीन बनाए गए नियमों के उपबंधों के अनुसार अनुपालन किया जाएगा।

(8) बहिस्राव का निस्सरण.- पारिस्थितिकी संवेदी जोन में उपचारित बहिस्राव का निस्सरण, साधारण मानकों के उपबंधों के अनुसार पर्यावरण अधिनियम और उसके अधीन बनाए गए नियमों के अधीन आने वाले पर्यावरणीय प्रदूषण के निस्सरण के लिए साधारण मानकों या राज्य सरकार द्वारा नियत मानकों, जो भी अधिक कठोर हों, के उपबंधों के अनुसार होगा।

(9) ठोस अपशिष्ट.- ठोम अपशिष्ट का निपटान और प्रबंधन निम्नानुसार किया जाएगा:-

(क) पारिस्थितिकी संवेदी जोन में ठोस अपशिष्ट का निपटान और प्रबंधन भारत सरकार के पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की अधिसूचना सं. का.आ. 1357(अ), तारीख 8 अप्रैल, 2016 के द्वारा प्रकाशित ठोस अपशिष्ट प्रबंधन नियम, 2016 के उपबंधों के अनुसार किया जाएगा; अकार्बनिक पदार्थों का निपटान पारिस्थितिकी संवेदी जोन से बाहर चिन्हित किए गए स्थानों पर पर्यावरण-अनुकूल रीति से किया जाएगा;

(ख) पारिस्थितिकी संवेदी जोन में मान्य प्रौद्योगिकियों का उपयोग करते हुए विद्यमान नियमों और विनियमों के अनुरूप ठोस अपशिष्ट का सुरक्षित और पर्यावरण-अनुकूल प्रबंधन (ईएसएम) अनुज्ञात किया जा सकेगा।

(10) **जैव चिकित्सा अपशिष्ट.**- जैव चिकित्सा अपशिष्ट का प्रबंधन निम्नानुसार किया जाएगा.-

(क) पारिस्थितिकी संवेदी जोन में जैव चिकित्सा अपशिष्ट का निपटान भारत सरकार के पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की अधिसूचना सं.सा.का.नि 343 (अ), तारीख 28 मार्च, 2016 के द्वारा प्रकाशित जैव चिकित्सा अपशिष्ट प्रबंधन नियम, 2016 के उपबंधों के अनुसार किया जाएगा।

(ख) पारिस्थितिकी संवेदी जोन में मान्य प्रौद्योगिकियों का उपयोग करते हुए विद्यमान नियमों और विनियमों के अनुरूप जैव-चिकित्सा अपशिष्ट का सुरक्षित और पर्यावरण-अनुकूल प्रबंधन अनुज्ञात किया जा सकेगा।

(11) **प्लास्टिक अपशिष्ट प्रबंधन.**- पारिस्थितिकी संवेदी जोन में प्लास्टिक अपशिष्ट प्रबंधन का निपटान भारत सरकार के पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की समय-समय पर यथासंशोधित अधिसूचना सं.सा.का.नि 340(अ), तारीख 18 मार्च, 2016 द्वारा प्रकाशित प्लास्टिक अपशिष्ट प्रबंधन नियम, 2016 के उपबंधों के अनुसार किया जाएगा।

(12) **निर्माण और विध्वंस अपशिष्ट प्रबंधन.**- पारिस्थितिकी संवेदी जोन में संनिर्माण और विध्वंस अपशिष्ट प्रबंधन का निपटान भारत सरकार के पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की समय-समय पर यथासंशोधित अधिसूचना सं.सा.का.नि 317(अ), तारीख 29 मार्च, 2016 द्वारा प्रकाशित संनिर्माण और विध्वंस अपशिष्ट प्रबंधन नियम, 2016 के उपबंधों के अनुसार किया जाएगा।

(13) **ई-अपशिष्ट.**- पारिस्थितिकी संवेदी जोन में ई-अपशिष्ट प्रबंधन का निपटान भारत सरकार के पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय की समय-समय पर यथासंशोधित द्वारा प्रकाशित ई-अपशिष्ट प्रबंधन नियम, 2016 के उपबंधों के अनुसार किया जाएगा।

(14) **यानीय यातायात.**- यातायात की यानीय गतिविधियां आवास के अनुकूल विनियमित होंगी और इस संबंध में आंचलिक महायोजना में विशेष उपबंध सम्मिलित किए जाएंगे और आंचलिक महायोजना के तैयार होने और राज्य सरकार के सक्षम प्राधिकारी द्वारा अनुमोदित होने तक, मानीटरी समिति सुसंगत अधिनियमों और उसके अधीन बनाए गए नियमों और विनियमों के अनुसार यानीय क्रियाकलापों के अनुपालन को मानीटरी करेगी।

(15) **यानीय प्रदूषण.**- लामू विधियों के अनुपालन में बाहन प्रदूषण का निवारण और नियंत्रण किया जाएगा और स्वच्छक ईंधन के उपयोग के लिए प्रयास किए जाएंगे।

(16) **औद्योगिक ईकाइयां.**- (i) राजपत्र में इस अधिसूचना के प्रकाशन पर या उसके पश्चात् पारिस्थितिकी संवेदी जोन के भीतर कोई नए प्रदूषित उद्योगों की स्थापना की अनुज्ञा नहीं दी जाएगी।

(ii) केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा फरवरी, 2016 में जारी समय-समय पर यथा संशोधित मार्गदर्शक सिद्धान्तों में उद्योगों के वर्गीकरण के अनुसार, जब तक कि अधिसूचना में इस प्रकार विनिर्दिष्ट न हो, पारिस्थितिकी संवेदी जोन के भीतर केवल गैर-प्रदूषणकारी उद्योगों को अनुज्ञात किया जाएगा और इसके अतिरिक्त, गैर प्रदूषणकारी उद्योगों को बढ़ावा दिया जाएगा।

(17) **पहाड़ी ढलानों को संरक्षण.**- पहाड़ी ढलानों का संरक्षण निम्नानुसार होगा:-

(क) आंचलिक महायोजना पहाड़ी ढलानों पर क्षेत्रों का संकेत होगा जहां किसी भी संनिर्माण की अनुज्ञा नहीं दी जाएगी;

(ख) कटाव के एक उच्च डिग्री के साथ विद्यमान खड़ी पहाड़ी ढलानों या ढलानों पर किसी भी संनिर्माण की अनुज्ञा नहीं दी जाएगी।

4. पारिस्थितिकी संवेदी जोन में प्रतिषिद्ध और विनियमित किए जाने वाले क्रियाकलापों की सूची.- पारिस्थितिकी संवेदी जोन में सभी क्रियाकलाप पर्यावरण अधिनियम के उपबंधों और उसके अधीन बनाए गए नियमों जिसके अन्तर्गत तटीय विनियमन जोन, 2011 और पर्यावरणीय समाप्तात निधारण अधिसूचना, 2006 और अन्य लामू विधियों के जिसमें वन (संरक्षण) अधिनियम, 1980 (1980 का 69), भारतीय वन अधिनियम, 1927 (1927 का 16), वन्यजीव (संरक्षण)

अधिनियम, 1972 (1972 का 53) सम्मिलित है और किये गये संशोधनों द्वारा शासित होंगे और नीचे दी गई सारणी में विनिर्दिष्ट रीति में विनियमित होंगे, अर्थात्:-

## सारणी

क्रम सं. (1)	क्रियाकलाप (2)	वर्णन (3)
<b>क. प्रतिषिद्ध क्रियाकलाप</b>		
1.	वाणिज्यिक खनन, पत्थर उत्खनन और अपघर्षण इकाइयां।	(क) पारिस्थितिकी संवेदी जोन के भीतर वास्तविक स्थानीय निवासियों की घरेलू आवश्यकताओं जिसमें मकानों के संनिर्माण या मरम्मत के लिए धरती को खोदना सम्मिलित है, के सिवाय सभी प्रकार के नए और विद्यमान खनन (लघु और बृहत् खनिज), पत्थर उत्खनन और अपघर्षण इकाइयां तत्काल प्रभाव से प्रतिषिद्ध होंगी;  (ख) खनन प्रचालन, 1995 की रिट याचिका (सिविल) सं. 202 में टी.एन. गोडाबर्मन विरुद्ध मूलपाद बनाम भारत संघ के मामले में माननीय उच्चतम न्यायालय के आदेश 4 अगस्त, 2006 और 2012 की रिट याचिका (सिविल) सं. 435 में गोवा फाउंडेशन बनाम भारत संघ के मामले में तारीख 21 अप्रैल, 2014 के आदेश के अनुसरण में होगा।
2.	प्रदूषण (जल, वायु, मृदा, ध्वनि, आदि) उत्पन्न करने वाले उद्योगों की स्थापना।	पारिस्थितिकी संवेदी जोन में कोई नया उद्योग लगाने और वर्तमान प्रदूषणकारी उद्योगों का विस्तार करने की अनुज्ञा नहीं होगी;  परन्तु यह कि केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा फरवरी, 2016 में जारी समय-समय पर यथा संशोधित मार्गदर्शक सिद्धान्तों में उद्योगों के वर्गीकरण के अनुसार, जब तक कि अधिसूचना में ऐसा विनिर्दिष्ट न हो, पारिस्थितिकी संवेदी जोन के भीतर गैर-प्रदूषणकारी उद्योगों को अनुज्ञात किया जाएगा और इसके अतिरिक्त गैर-प्रदूषणकारी कुटीर उद्योगों को बढ़ावा दिया जाएगा।
3.	बृहत् जल विद्युत परियोजना की स्थापना।	प्रतिषिद्ध।
4.	किसी परिसंकटमय पदार्थ का उपयोग या उत्पादन या प्रसंस्करण।	प्रतिषिद्ध।
5.	प्राकृतिक जल निकायों या क्षेत्र भूमि में अनुपचारित बहिर्वाह का निस्सारण।	प्रतिषिद्ध।
6.	नई आरा मिलों की स्थापना।	पारिस्थितिकी संवेदी जोन के भीतर नई और विद्यमान आरा मिलों का विस्तार अनुज्ञात नहीं होगा।
7.	ईट भट्टों की स्थापना करना।	प्रतिषिद्ध।

8.	जलावन लकड़ी का वाणिज्यिक उपयोग।	प्रतिषिद्ध।
9.	नए काष्ठ आधारित उद्योग।	प्रतिषिद्ध।
10.	मछली पलना।	प्रतिषिद्ध।
<b>आ. विनियमित क्रियाकलाप</b>		
11.	वाणिज्यिक होटलों और रिसोर्टों की स्थापना।	<p>पारिस्थितिकी पर्यटन क्रियाकलापों लघु अस्थायी संरचनाओं के सिवाय संरक्षित क्षेत्र की सीमा से एक किलोमीटर के भीतर या पारिस्थितिकी संवेदी जोन के विस्तार तक, इनमें जो भी निकट है, नए वाणिज्यिक होटल और रिसोर्टों को अनुज्ञात नहीं किया जाएगा:</p> <p>परंतु यह कि संरक्षित क्षेत्र की सीमा से एक किलोमीटर के परे या पारिस्थितिकी संवेदी जोन के विस्तार तक इनमें से, जो भी निकट हो सभी नए पर्यटन क्रियाकलाप या विद्यमान क्रियाकलाप का विस्तार पर्यटन महायोजना और यथा लागू मार्गदर्शी सिद्धांतों के अनुरूप होगा।</p>
12.	संनिर्माण क्रियाकलाप।	<p>(क) संरक्षित क्षेत्र की सीमा से एक किलोमीटर के भीतर या पारिस्थितिकी संवेदी जोन के विस्तार तक, इनमें जो भी निकट हो, किसी भी प्रकार के नये वाणिज्यिक संनिर्माण की अनुज्ञा नहीं होगी:</p> <p>परंतु यह कि स्थानीय लोगों को अपनी भावास सम्बन्धी निम्नलिखित आवश्यकताओं को पूरा करने के लिए, पैरा 3 के उप पैरा (1) में सूचीबद्ध क्रियाकलापों सहित अपने उपयोग के लिए, अपनी भूमि में धवन उप-विधियों के अनुसार, संनिर्माण करने की अनुज्ञा होगी:</p> <p>परंतु यह कि गैर-प्रदूषणकारी लघु उद्योगों से संबंधित संनिर्माण क्रियाकलाप लागू नियमों और विनियमों, यदि कोई हों, के अनुसार सक्षम प्राधिकारी की पूर्व अनुमति से विनियमित किए जाएंगे और वे न्यूनतम होंगे।</p> <p>(ख) एक किलोमीटर क्षेत्र से परे ये आचलिक महायोजना के अनुसार विनियमित होंगे।</p>
13.	प्रदूषण उत्पन्न न करने वाले लघु उद्योग।	<p>फरवरी, 2016 में केन्द्रीय प्रदूषण नियंत्रण बोर्ड द्वारा जारी उद्योगों में वर्गीकरण के अनुसार समय-समय पर यथा संशोधित गैर-प्रदूषणकारी उद्योग और अपरिसंकटमय में, लघु और सेवा उद्योग, कृषि, पुष्प कृषि, उद्यान कृषि या पारिस्थितिकी संवेदी जोन से देशी सामग्री से उत्पादों को उत्पन्न करने वाले कृषि आधारित उद्योग सक्षम प्राधिकारी द्वारा अनुज्ञात होंगे।</p>
14.	वृक्षों की कटाई।	<p>(क) राज्य सरकार में सक्षम प्राधिकारी की पूर्व अनुज्ञा के बिना वन, सरकारी या राजस्व या निजी भूमि पर या वनों में वृक्षों की कटाई नहीं होगी।</p> <p>(ख) वृक्षों की कटाई संबंधित केंद्रीय या राज्य अधिनियम या उसके अधीन बनाए गए नियमों के उपबंध के अनुसार विनियमित होंगे।</p>

15.	वन उत्पादों या गैर काष्ठ वन उत्पादों का संग्रहण।	लागू विधियों के अनुसार विनियमित होंगे।
16.	विद्युत और संचार टावरों का परिनिर्माण और केबलों के बिछाए जाने और अन्य बुनियादी ढांचे।	लागू विधियों के अधीन विनियमित होंगे (भूमिगत केबल के बिछाए जाने को बढ़ावा दिया जा सकेगा)।
17.	नागरिक सुख सुविधाओं सहित अवसंरचनाएं।	न्यूनीकरण उपायों को लागू विधियों, नियमों और विनियमनों और उपलब्ध मार्गदर्शक सिद्धांतों के अनुसार किया जाना।
18.	विद्यमान सड़कों को चौड़ा करना और उन्हें सुदृढ़ करना तथा नवीन सड़कों का संनिर्माण।	न्यूनीकरण उपायों को लागू विधियों, नियमों और विनियमनों तथा उपलब्ध मार्गदर्शक सिद्धांतों के अनुसार किया जाएगा।
19.	पर्यटन से संबंधित अन्य क्रियाकलाप जैसे गर्म वायु गुब्बारे, हेलीकाप्टर, ट्रोले, माइक्रोलाइट्स, आदि द्वारा पारिस्थितिकी संवेदी जोन क्षेत्र के ऊपर से उड़ना जैसे क्रियाकलाप करना।	लागू विधियों के अनुसार विनियमित होंगे।
20.	पहाड़ी ढालों और नदी तटों का संरक्षण।	लागू विधियों के अनुसार विनियमित होंगे।
21.	रात्रि में यानिक शांतायात का संचलन।	लागू विधियों के अधीन वाणिज्यिक प्रयोजन के लिए विनियमित होंगे।
22.	स्थानीय समुदायों द्वारा चल रही कृषि और बागवानी प्रथाओं के साथ दुग्धशाला, दुग्ध उद्योग, कृषि और मछली पालन।	स्थानीय लोगों के उपयोग के लिए लागू विधियों के अधीन अनुज्ञात होंगे।
23.	फर्मों, निगम और कंपनियों द्वारा बड़े पैमाने पर वाणिज्यिक पशुओं और कुक्कुट फार्मों की स्थापना।	स्थानीय आवश्यकताओं को पूरा करने के लिए लागू विधियों के अधीन विनियमित (अन्यथा उपबंधित के सिवाय) होंगे।
24.	प्राकृतिक जल निकायों या सतही क्षेत्र में उपचारित बहिर्वाह का निस्तारण।	जल निकायों में उपचारित अपशिष्ट जल या बहिर्वाह के निस्तारण से बचा जाएगा और उपचारित अपशिष्ट जल के पुनःचक्रण और पुनःउपयोग के लिए प्रयास किए जाएंगे। अन्यथा लागू विधियों के अनुसार उपचारित बहिर्वाह के पुनर्चक्रण या प्रवाह के निर्बहन को विनियमित किया जाएगा।
25.	सतही और भूजल का वाणिज्यिक निष्कर्षण।	लागू विधियों के अनुसार विनियमित होंगे।
26.	ठोस अपशिष्ट का प्रबन्धन।	लागू विधियों के अनुसार विनियमित होंगे।
27.	विदेशी प्रजातियों को लाना।	लागू विधियों के अनुसार विनियमित होंगे।
28.	पारिस्थितिकी पर्यटन।	लागू विधियों के अनुसार विनियमित होंगे।
29.	पोलिथीन बैगों का प्रयोग।	लागू विधियों के अनुसार विनियमित होंगे।
30.	वाणिज्यिक सूचनापट्ट और होर्डिंग।	लागू विधियों के अनुसार विनियमित होंगे।

## इ. संवर्धित क्रियाकलाप

31.	वर्षा जल संचयन।	सक्रिय रूप से बढ़ावा दिया जाएगा।
32.	जैविक खेती।	सक्रिय रूप से बढ़ावा दिया जाएगा।
33.	सभी गतिविधियों के लिए हरित प्रौद्योगिकी को अंगीकृत करना।	सक्रिय रूप से बढ़ावा दिया जाएगा।
34.	कुटीर उद्योगों जिसके अंतर्गत ग्रामीण कारीगर भी हैं।	सक्रिय रूप से बढ़ावा दिया जाएगा।
35.	नवीकरणीय ऊर्जा और ईंधन का उपयोग।	वायोगैस, सौर प्रकाश, इत्यादि को बढ़ावा दिया जाएगा।
36.	कृषि वानिकी।	सक्रिय रूप से बढ़ावा दिया जाएगा।
37.	बागान लगाना और जड़ी बूटियों का रोपण।	सक्रिय रूप से बढ़ावा दिया जाएगा।
38.	पारिस्थितिकी अनुकूल परिवहन का उपयोग।	सक्रिय रूप से बढ़ावा दिया जाएगा।
39.	कौशल विकास।	सक्रिय रूप से बढ़ावा दिया जाएगा।
40.	निम्नीकृत भूमि या वन या बास की बहाली।	सक्रिय रूप से बढ़ावा दिया जाएगा।
41.	पर्यावरणीय जागरूकता।	सक्रिय रूप से बढ़ावा दिया जाएगा।

5. पारिस्थितिकी संवेदी जोन की अधिसूचना की मानीटरी के लिए मानीटरी समिति-केंद्रीय सरकार, पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 3 की उपधारा (3) के अधीन इस अधिसूचना के उपबंधों की प्रभावी मानीटरी के लिए मानीटरी समिति का गठन करती है, जो निम्नलिखित से मिलकर बनेगी, अर्थात्:-

(i)	जिला कलेक्टर, चित्तौड़गढ़	अध्यक्ष, पदेन;
(ii)	राजस्थान सरकार द्वारा पर्यावरण के क्षेत्र में काम करने वाले गैर-सरकारी संगठन के एक प्रतिनिधि को प्रत्येक मामले में एक वर्ष की अवधि के लिए नामांकित किया जाएगा	सदस्य;
(iii)	राजस्थान सरकार द्वारा प्रत्येक मामले में एक वर्ष की अवधि के लिए पारिस्थितिकी और पर्यावरण के क्षेत्र में एक विशेषज्ञ को नामांकित किया जाएगा	सदस्य;
(iv)	राज्य जैव विविधता बोर्ड से एक प्रतिनिधि	सदस्य;
(v)	लोक निर्माण विभाग का जिला स्तरीय अधिकारी	सदस्य;
(vi)	शहरी योजना विभाग का जिला स्तरीय अधिकारी	सदस्य;
(vii)	उद्योग विभाग का जिला स्तरीय अधिकारी	सदस्य;
(viii)	राज्य प्रदूषण नियंत्रण बोर्ड का क्षेत्रीय अधिकारी (आरओ)	सदस्य;
(ix)	अवैतनिक वन्यजीव वार्डन, चित्तौड़गढ़	सदस्य;
(x)	सहायक वन संरक्षक, बस्ती वन्यजीव अभयारण्य	सदस्य-सचिव।

6. निर्देश-निबंधन.- (1) निगरानी समिति इस अधिसूचना के उपबंधों के अनुपालन को मानीटरी करेगी।
- (2) मानीटरी समिति का कार्यकाल अगले आदेश होने तक किया जाएगा, परंतु यह कि समिति के रै-सरकारी सदस्यों को समय-समय पर राज्य सरकार द्वारा नामनिर्दिष्ट किया जाएगा।
- (3) उन क्रियाकलापों की, जो भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533 (अ), तारीख 14 सितम्बर, 2006 की अनुसूची में सम्मिलित हैं, और जो पारिस्थितिकी संवेदी जोन में आते हैं, सिवाय इसके जो पैरा 4 के अधीन सारणी में यथा विनिर्दिष्ट प्रतिषिद्ध क्रियाकलापों के, मानीटरी समिति द्वारा वास्तविक विनिर्दिष्ट स्थलीय दशाओं के आधार पर संवीक्षा की जाएगी और उक्त अधिसूचना के उपबंधों के अधीन पूर्व पर्यावरण अनापत्ति के लिए केंद्रीय सरकार के पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय को निर्दिष्ट किया जाएगा।
- (4) उन क्रियाकलापों की, जो भारत सरकार के तत्कालीन पर्यावरण और वन मंत्रालय की अधिसूचना संख्यांक का.आ. 1533 (अ) तारीख 14 सितंबर, 2006 की अनुसूची में सम्मिलित नहीं हैं, और जो पारिस्थितिकी संवेदी जोन में आते हैं, सिवाय इसके पैरा 4 के अधीन सारणी में यथाविनिर्दिष्ट प्रतिषिद्ध क्रियाकलापों के मानीटरी समिति द्वारा वास्तविक विनिर्दिष्ट स्थलीय दशाओं के आधार पर संवीक्षा की जाएगी और उसे संबद्ध विनियामक प्राधिकरणों को निर्दिष्ट किया जाएगा।
- (5) मानीटरी समिति का सदस्य-सचिव या संबद्ध उपायुक्त ऐसे व्यक्ति के विरुद्ध, जो इस अधिसूचना के किसी उपबंध का उल्लंघन करता है, पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 19 के अधीन परिवाद फाइल करने के लिए सक्षम होगा।
- (6) मानीटरी समिति मुद्दा दर मुद्दा के आधार पर अपेक्षाओं पर निर्भर रहते हुए संबद्ध विभागों के प्रतिनिधियों या विशेषज्ञों, औद्योगिक संगमों या संबद्ध पणधारियों के प्रतिनिधियों को अपने विचार-विमर्श में सहायता के लिए आमंत्रित कर सकेगी।
- (7) मानीटरी समिति प्रत्येक वर्ष की 31 मार्च तक के अपने क्रियाकलापों की वार्षिक कार्यवाही रिपोर्ट राज्य के मुख्य वन्यजीव वार्डन को उपाबंध-V में संलग्न प्रोफार्मा में उक्त वर्ष के 30 जून तक प्रस्तुत करेगी।
- (8) केन्द्रीय सरकार का पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय मानीटरी समिति को अपने कृत्यों के प्रभावी निर्वहन के लिए ऐसे निर्देश दे सकेगा, जो वह ठीक समझे।
7. इस अधिसूचना के उपबंधों को प्रभावी बनाने के लिए केंद्रीय सरकार और राज्य सरकार, अतिरिक्त उपाय, यदि कोई हों, विनिर्दिष्ट कर सकेगी।
8. इस अधिसूचना के उपबंध भारत के माननीय उच्चतम न्यायालय या उच्च न्यायालय या राष्ट्रीय हरित अधिकरण द्वारा पारित किए गए या पारित किए जाने वाले आदेश, यदि कोई हो, के अध्याधीन होंगे।

[फा. सं. 25/21/2015-ईएसजेड-आरई]

डॉ. सतीश चन्द्र गढ़कोटी वैज्ञानिक 'जी'

उपाबंध- I

## राजस्थान राज्य में बस्सी वन्यजीव अभयारण्य के पारिस्थितिकी संवेदी जोन की सीमा का विवरण

उत्तर	मेषपुरा चौराहा एन.एच 76 से परसोली ग्राम की बिस्पेंसरी तक है। इस बिंदु से पारिस्थितिकी संवेदी जोन सीमा एन.एच. 76 के साथ पुनः पारिस्थितिकी संवेदी जोन बिंदु सं. 7 (अमरपुरा ग्रवेल सड़क से पहले एन.एच. 76 पर नाला पुल) तक है इसके बाद पारिस्थितिकी संवेदी जोन सीमा अमरपुरा ग्राम ग्रवेल सड़क के निकट नाला, चूना पत्थर खनन क्षेत्र का परसोली ग्राम फतेहपुर ग्राम सड़क तक है। के साथ दक्षिण भाग की ओर मुड़ती है। इसके बाद सीमा पारिस्थितिकी संवेदी जोन सीमा के पारिस्थितिकी संवेदी जोन बिंदु सं. 9 (एन.एच. 76 पर फतेहपुर सड़क पुल) तक फतेहपुर ग्राम सड़क के माथ उत्तर भाग मुड़ती है। इस बिंदु से पारिस्थितिकी संवेदी जोन सीमा एन.एच. 76 नाल चौराहा तक के साथ पुनः जाती है।
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पूर्व	क्षेत्र बस्सी वन्यजीव अभयारण्य के नाल चौराहा से नाल-मुरौली-उमरकखल-गटाबव तीराहा है तक, अनोप्पुरा-फतेहपुरा-चरचा ग्राम की पश्चिम सीमा और मध्य प्रदेश सीमा के बीच सड़क है।
दक्षिण	मध्य प्रदेश राज्य का क्षेत्र 2 किलोमीटर की लंबाई में बस्सी वन्यजीव अभयारण्य की सीमा से आरंभ होकर राजस्थान के चरचा ग्राम कून्थाली का संपूर्ण क्षेत्र, मध्य प्रदेश के माताजी का खेडा और ग्वालियर कलां ग्रामों के देवदूंगरी ग्राम (राजस्थान) तक है।
पश्चिम	पुल सं. 8 तक विजयपुर-बस्सी सड़क के साथ बस्सी वन्यजीव अभयारण्य की सीमा से देवदूंगरी ग्राम के बीच का क्षेत्र, पुल सं. 8 से कैलजर तक पारिस्थितिकी संवेदी जोन की सीमा और बस्सी वन्यजीव अभयारण्य को अतिरिक्त किया गया है। विजयपुर- बस्सी के साथ कैलर ग्राम से पल्का तीराहा तक और बस्सी मेघपुरा लिंक सड़क के साथ पल्का तीराहा से मेघपुरा चौराहा तक।

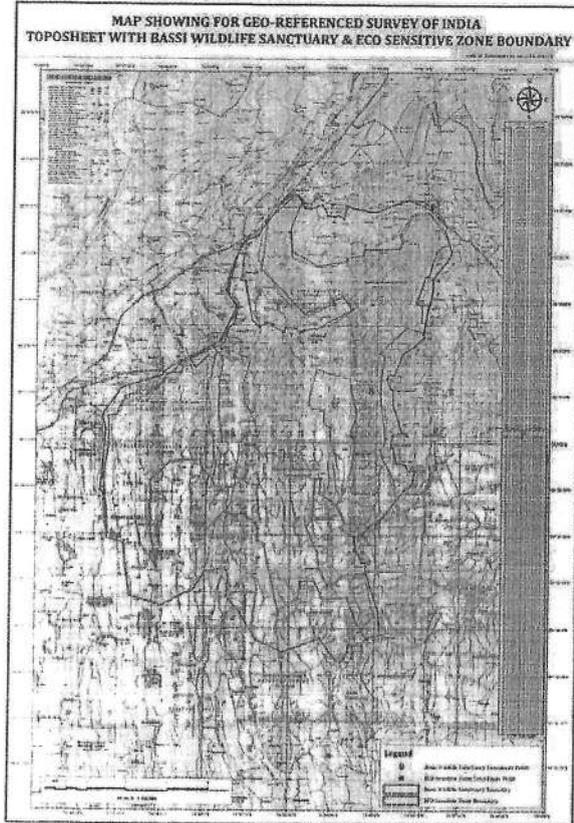
उपाबंध-11क

मुख्य अवस्थानों के अक्षांश और देशांतर के साथ बस्ती वन्यजीव अभयारण्य के पारिस्थितिकी संवेदी जोन का गूगल मानचित्र



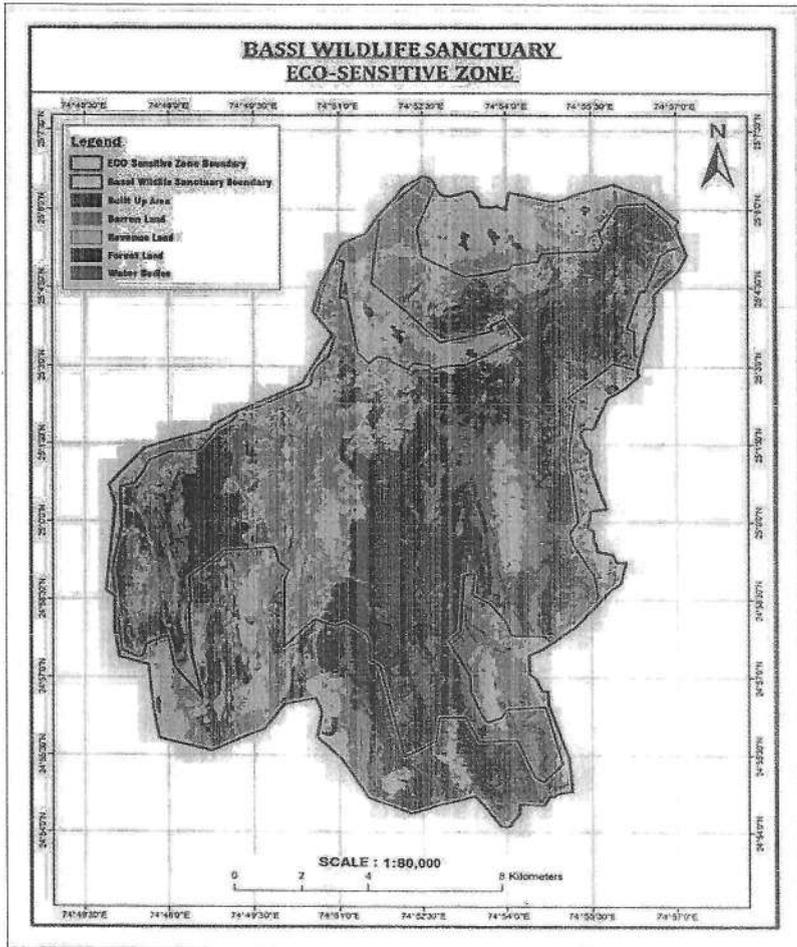
## उपाबंध- IIख

भारतीय सर्वेक्षण (एस ओ आर) टोपोशीट पर मुख्य अवस्थानों के अक्षांश और देशांतर के साथ बस्ती वन्यजीव अभयारण्य के पारिस्थितिकी संवेदी जोन का मानचित्र



उपाबंध- IIग

मुख्य अवस्थानों के अधांश और देशांतर के साथ बस्ती वन्यजीव अभयारण्य के पारिस्थितिकी संवेदी जोन के भूमि उपयोग पैटर्न को दर्शाने वाला मानचित्र



सारणी क : बस्सी वन्यजीव अभयारण्य के मुख्य अवस्थानों के सू-निर्देशांक

क्र.सं.	मुख्य बिंदुओं की पहचान	मुख्य बिंदु के अवस्थान / दिशा	अक्षांश (उ) (डीएमएस)			देशांतर (पू) (डीएमएस)		
1	बस्सी बांध के निकट	उत्तर-पूर्व	25	2	12.13	74	49	32.27
2			25	2	31.87	74	50	11.66
3	भेरूघाटी	पश्चिम-उत्तर	25	3	37.12	74	50	55.11
4			25	3	56.95	74	50	37.68
5			25	4	22.64	74	50	41.9
6	राजगढ़ ग्राम के निकट	पूर्व	25	5	2.8	74	50	55.54
7			25	4	59.99	74	51	5.57
8			25	4	19.05	74	51	0.53
9			25	4	17.44	74	51	8.42
10			25	3	15.75	74	51	21.03
11			25	3	4.04	74	51	33.48
12			25	3	11.4	74	51	42.91
13			25	3	9.11	74	51	55.94
14			25	3	7.12	74	51	54.63
15			25	2	56.77	74	52	13.82
16			25	3	4.31	74	52	19.23
17			25	3	2.19	74	52	37.08
18			25	2	56.44	74	52	43.44
19			25	2	59.84	74	52	51.37
20			25	3	2.15	74	53	15.33
21			25	3	32.44	74	54	14.5
22			25	3	54.7	74	53	58.26
23			25	3	46.62	74	53	42.67
24			25	3	41.35	74	53	45.77
25			25	3	27.96	74	52	50.15
26			25	4	35.94	74	51	36.2
27			25	5	54.95	74	51	45.81
28			25	6	37.17	74	52	31.39
29	नाका परसोली वन के निकट	उत्तर-पूर्व	25	6	26.88	74	52	45.26
30			25	5	37.53	74	52	23.95
31			25	5	5.93	74	52	29.36

32	नाहरगढ़ पैलेस के निकट	दक्षिण	25	4	42.57	74	53	15.78
33			25	4	51.43	74	54	4.79
34			25	4	56.06	74	54	4.95
35			25	5	0.35	74	54	33.17
36			25	5	9.43	74	54	36.24
37			25	5	10.9	74	54	58.33
38			25	5	12.56	74	55	38.16
39			25	5	22.45	74	55	42.39
40			25	5	34.01	74	55	38.6
41			25	6	5.11	74	55	58.61
42			25	6	7.21	74	56	29.84
43	सोमानी रिजॉर्ट के निकट	पूर्व-दक्षिण	25	5	44.83	74	56	53.03
44			25	5	17.78	74	57	7.47
45			25	5	14.71	74	56	53.99
46			25	5	6.62	74	56	43.7
47			25	4	26.01	74	56	28.93
48			25	4	26.7	74	56	24.15
49			25	3	44.39	74	56	9.52
50			25	3	40.64	74	56	18.06
51			25	3	13.49	74	56	18
52			25	3	10.56	74	56	25.13
53			25	2	56.96	74	56	21.6
54			25	3	3.94	74	55	52.85
55			25	2	23.93	74	55	5.71
56			25	2	18.09	74	55	13.46
57			25	1	18.4	74	55	6.85
58			25	0	0.49	74	55	16.41
59			24	59	48.34	74	55	7.97
60			24	59	35.09	74	55	10.87
61			24	58	57.6	74	55	32.51
62			24	58	34.5	74	55	36.19
63			24	58	21.59	74	55	32.29
64			24	58	0.52	74	55	14.05
65			24	57	42.59	74	54	45.34
66	कदमाली तालाब के निकट	पूर्व	24	57	48.91	74	54	5.36
67			24	58	5.95	74	53	58.42

68			24	58	25.09	74	53	42.12
69			24	58	36.18	74	53	51.93
70			24	59	0.53	74	53	23.98
71			24	58	58.95	74	53	13.35
72			24	57	54.44	74	53	9.87
73			24	57	42.69	74	52	58.44
74			24	57	1.47	74	53	19.48
75			24	56	43.75	74	53	20.37
76			24	56	19.42	74	53	30.62
77			24	56	8.76	74	53	38.09
78			24	56	13.89	74	53	53.68
79			24	56	23.82	74	54	0.72
80			24	56	26.76	74	54	39.75
81			24	55	20.25	74	54	59.06
82	मध्य प्रदेश सीमा		24	54	59.97	74	54	37.74
83	मध्य प्रदेश सीमा		24	55	4.61	74	55	27.05
84	मध्य प्रदेश सीमा		24	55	48.15	74	54	10.57
85	मध्य प्रदेश सीमा		24	55	46.44	74	53	28.81
86	मध्य प्रदेश सीमा		24	56	14.3	74	53	14.82
87	मध्य प्रदेश सीमा		24	56	14.07	74	52	48.76
88	मध्य प्रदेश सीमा		24	55	46.62	74	52	44.67
89	मध्य प्रदेश सीमा		24	55	28.75	74	52	9.37
90	मध्य प्रदेश सीमा		24	57	13.41	74	51	44.72
91	मध्य प्रदेश सीमा		24	57	20.43	74	51	33.84
92	मध्य प्रदेश सीमा		24	57	40.29	74	51	33.48
93	मध्य प्रदेश सीमा		24	57	49.45	74	51	30.53
94	मध्य प्रदेश सीमा		24	58	4.2	74	51	5.65
95	मध्य प्रदेश सीमा		24	58	0.03	74	50	55.63
96	मध्य प्रदेश सीमा		24	58	7.12	74	50	34.55
97	मध्य प्रदेश सीमा		24	57	35.7	74	50	0.4
98			24	58	52.29	74	50	1.43
99			24	59	4.59	74	50	6.44
100			24	59	13.64	74	49	55.08
101			24	59	30.92	74	49	50.27
102			24	59	27.01	74	48	57.22
103			24	58	56.11	74	48	21.11
104			24	58	27.72	74	48	23.12

105			24	58	23.07	74	48	20.8
106			24	57	29.11	74	48	23.23
107			24	56	36.43	74	48	34.26
108			24	57	12.78	74	48	6.29
109			24	57	48.59	74	47	58.92
110			24	57	39.03	74	47	34.4
111	एम डी आर बस्सी- विजईपुर		24	57	25.42	74	47	31.1
112			24	57	23.27	74	47	25.99
113			24	57	31.28	74	47	9.64
114			24	58	32.86	74	47	3.88
115			24	59	4.19	74	47	0.07
116			24	59	54.38	74	47	10
117	विजईपुर तिराहा के निकट	पूर्व	25	0	39.54	74	47	8.54
118			25	0	43.14	74	47	22.44
119			25	1	0.02	74	47	32.41
120			25	1	11.34	74	47	38
121			25	1	20.85	74	48	1.29
122			25	1	22.46	74	48	30.63
123			25	1	47.25	74	48	50.72
124			25	1	56.88	74	49	7.42
125			25	2	7.01	74	49	14.43

सारणी ख: पारिस्थितिकी संवेदी जोन के मुख्य अवस्थानों के भू-निर्देशांक

बिंदु सं.	अक्षांश (उ) (डीएमएस)			देशांतर (पू) (डीएमएस)		
1	25	6	38.51	74	52	31.26
2	25	6	35.43	74	52	40.26
3	25	6	29.69	74	52	44.29
4	25	6	22.3	74	52	46.64
5	25	6	16.44	74	52	51.82
6	25	6	14.71	74	53	1.24
7	25	6	21.52	74	53	21.94
7 I	25	6	13.69	74	53	28.71
7 II	25	6	3.48	74	53	31.81
8	25	6	3.57	74	53	34.35

8 I	25	6	2.57	74	53	44.12
8 II	25	6	4.44	74	53	50.79
8 III	25	5	59.49	74	53	59.75
9	25	6	19.49	74	54	4.13
10	25	6	10.12	74	54	45.15
11	25	6	10.32	74	54	56.76
12	25	6	21.36	74	55	26.51
13	25	6	29.13	74	55	53.82
14	25	6	14.89	74	56	31.93
15	25	5	47.19	74	57	2.23
16	25	5	41.21	74	56	59.6
17	25	5	7.66	74	57	12
18	25	4	51.17	74	57	3.53
19	25	4	34.51	74	56	47.23
20	25	4	22.23	74	56	37.85
21	25	4	1.06	74	56	37.66
22	25	3	36.42	74	56	29.7
23	25	2	54.41	74	58	20.78
24	25	2	49.8	74	56	22.72
25	25	2	35.18	74	56	6.63
26	25	2	23.56	74	55	46.77
27	25	2	6.9	74	55	39.45
28	25	1	47.79	74	55	31.32
29	25	1	48.78	74	55	22.12
30	25	1	42.03	74	55	18.44
31	25	1	26.63	74	55	24.42
32	25	1	22.5	74	55	28.76
33	25	1	0.53	74	55	29.83
34	25	0	28.81	74	55	40.64
35	25	0	15.25	74	55	45.49
36	25	0	13.38	74	55	29.22
37	24	59	57.61	74	55	26.49
38	24	59	53.99	74	55	26.39
39	24	59	51.63	74	55	27.76
40	24	59	50.15	74	55	31.22
41	24	59	36.67	74	55	32.37
42	24	59	36.05	74	55	34.09

43	24	59	26.17	74	55	35.93
44	24	59	23.47	74	55	51.74
45	24	59	13.56	74	55	56.82
46	24	59	13.78	74	56	7.59
47	24	58	48.91	74	56	1.13
48	24	58	43.02	74	55	50.93
49	24	58	18.98	74	55	30.39
50	24	57	58.72	74	55	13.02
51	24	57	34.57	74	54	38.56
52	24	57	26.12	74	54	22.41
53	24	57	3.73	74	54	23.01
54	24	56	59.32	74	54	29.19
55	24	56	44.93	74	54	35.88
56	24	56	44.03	74	54	42.12
57	24	56	29.53	74	54	42.71
58	24	55	26.86	74	55	6.33
59	24	54	48.54	74	55	10.01
60	24	54	46.89	74	54	55.62
61	24	54	42.87	74	54	48.37
62	24	54	43.72	74	54	44.22
63	24	54	31.8	74	54	37.72
64	24	54	32.95	74	54	12.7
65	24	54	22.48	74	54	12.34
66	24	54	14.05	74	54	7.53
67	24	54	12.54	74	54	5.07
68	24	54	8.22	74	54	4.44
69	24	54	6.27	74	54	0.15
70	24	54	7.42	74	53	53.44
71	24	54	43.4	74	53	24.75
72	24	54	21.82	74	52	16.93
73	24	54	41.39	74	51	32.46
74	24	55	25.01	74	51	2.77
75	24	55	51.05	74	50	37.23
76	24	56	20.72	74	50	42.01
77	24	56	36.33	74	50	35.73
78	24	56	29.47	74	50	0.71
79	24	56	0.56	74	49	39.85

80	24	55	35.39	74	48	43.91
81	24	55	50.47	74	47	48.86
82	24	56	24.1	74	47	42.4
83	24	57	14.72	74	47	36.78
84	24	57	23.41	74	47	7.49
85	24	57	56.7	74	47	2.76
86	24	58	33.24	74	47	3.17
87	24	58	39.83	74	46	53.84
88	25	0	19.49	74	47	3.61
89	25	0	41.56	74	46	57.1
90	25	1	25.45	74	47	32.45
91	25	1	46.29	74	48	41.47
92	25	1	52.2	74	48	45.51
93	25	2	8.15	74	49	14.45
94	25	2	41.52	74	50	22.42
95	25	3	36.32	74	50	52.95
96	25	4	2.98	74	50	33.25
97	25	4	33.76	74	50	41.85
98	25	5	17.6	74	51	1.44
99	25	5	22.67	74	51	6.44
100	25	5	31.59	74	51	29.32
101	25	5	53.11	74	51	44.01
102	25	6	12.36	74	52	0.21
103	25	6	26.3	74	52	9.71

भू-निर्देशांको के साथ बस्ती वन्यजीव अभयारण्य के पारिस्थितिकी संवेदी जोन के अंतर्गत आने वाले ग्रामों की सूची

क्र.सं	ग्राम का नाम	ग्राम के प्रकार	तहसील/तालुका	जिला	बक्षांश (उ) (डीएमएस प्रारूप)	देशांतर (पू) (डीएमएस प्रारूप)
1	परसोली (आंशिक)	राजस्व	बैगून	चित्तौड़गढ़	24° 6' 3.67"	74°53'40.87"
2	नाहरगढ़	राजस्व	बैगून	चित्तौड़गढ़	25°05'17.57"	74°53'41.83"
3	गनेश गंज	राजस्व	बैगून	चित्तौड़गढ़	25°05'13.00"	74°53'50.01"
4	अमरपुरा	राजस्व	बैगून	चित्तौड़गढ़	24° 05'52.71"	74°54'45.54"
5	फतेपुरा	राजस्व	बैगून	चित्तौड़गढ़	25° 05'20.00"	74° 54' 12.20"
6	गंगापुर	राजस्व	बैगून	चित्तौड़गढ़	25° 6'27.81"	74°55'26.79"
7	बिचौर (आंशिक)	राजस्व	बैगून	चित्तौड़गढ़	25°6'22.64"	74°56'7.76"
8	नाल (आंशिक)	राजस्व	बैगून	चित्तौड़गढ़	25°4'8.34"	74°56'18.29"
9	डेवरिया (आंशिक)	राजस्व	बैगून	चित्तौड़गढ़	25°03'3.80"	74°56'50.52"
10	मुरोली (आंशिक)	राजस्व	बैगून	चित्तौड़गढ़	25° 2'54.34"	74°56'7.76"
11	सोपुरा	राजस्व	बैगून	चित्तौड़गढ़	25° 1'17.34"	74°55'36.20"
12	घनश्यामपुरा (आंशिक)	राजस्व	बैगून	चित्तौड़गढ़	25°01'89.56"	74°55'27.88"
13	उमार का खाल (आंशिक)	राजस्व	बैगून	चित्तौड़गढ़	24°59'42.34"	74°55'49.35"
14	खेरी अनुपपुरा	राजस्व	बैगून	चित्तौड़गढ़	24°58'91.34"	74°54'60.09"
15	मजेरी	राजस्व	बैगून	चित्तौड़गढ़	24° 57' 30.10"	74° 53' 27.10"
16	जवदीया नाया	राजस्व	बैगून	चित्तौड़गढ़	24°57'06.55"	74°53'04.29"
17	जवदीया जुना	राजस्व	बैगून	चित्तौड़गढ़	24°57'10.43"	74°53'48.07"
18	कुंताली (एम. पी) (आंशिक)	राजस्व	निमच (एम.पी)	निमच (एम.पी)	24°54'7.62"	74°54'29.92"
19	माताजी का खेरा (एम. पी)	राजस्व	निमच (एम.पी)	निमच (एम.पी)	24°56'44.88"	74°53'39.37"
20	गवालीयर का कलान (एम. पी) (आंशिक)	राजस्व	निमच (एम.पी)	निमच (एम.पी)	24°56'36.51"	74°51'48.97"
21	फुसरिया	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	24°58'73.85"	74°49'44.69"
22	मेवासा	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	25°0'1.38"	74°48'24.64"
23	केवदीया	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	24°59'90.50"	74°50'17.23"
24	सुरतसिंह का खेरा	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	24°58'51.92"	74°49'57.12"
25	गरोल	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	24°55'55.83"	74°49'6.76"
26	बंदा	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	24°57'12.42"	74°47'43.96"

27	राजपुरिया	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	24°56'32.44	74°48'41.16"
28	देवदुगरी (आंशिक)	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	24°56'58.28"	74°48'64.89"
29	बावरी खेरा	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	24°57'15.71"	74°48'58.13"
30	धुंगरिया	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	24° 57'10.40"	74° 47'45.20"
31	काइलजार (आंशिक)	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	24°58'52.07"	74°47'7.52"
32	बस्ती (आंशिक)	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	25°1'48.49"	74°46'57.21"
33	पालका (आंशिक)	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	25°02'56.58'	74°47'38.71"
34	नया पालका	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	25°02'56.58'	74°48'38.71"
35	मेघपुरा (आंशिक)	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	24°02'36.77'	74°48'48.22"
36	गोपालपुरा (आंशिक)	राजस्व	बैगून	चित्तौड़गढ़	25°04'30.67'	74°50'50.90"
37	कंडालिया	राजस्व	बैगून	चित्तौड़गढ़	25°03'1.45"	74°51'40.62"
38	राईपुरिया	राजस्व	बैगून	चित्तौड़गढ़	25°03'13.45"	74°50'44.12"
39	चिनपुरिया	राजस्व	बैगून	चित्तौड़गढ़	25°04'59.19"	74°50'57.21"
40	नाया गाओ	राजस्व	बैगून	चित्तौड़गढ़	25°04' 14.48"	74°51' 14.62"
41	राजगढ़ सिंगारी (आंशिक)	राजस्व	बैगून	चित्तौड़गढ़	25°05'9.18"	74°51'23.32"
42	सुनतापुरा	राजस्व	बैगून	चित्तौड़गढ़	24°04'0.14"	74°51'3.30"
43	देकरीखेरा	राजस्व	बैगून	चित्तौड़गढ़	25°4' 7.68"	74°51'34.14"
44	महेशारा	राजस्व	बैगून	चित्तौड़गढ़	25°38'59.94"	74°52'47.82"
45	उल्लुपुरा	राजस्व	बैगून	चित्तौड़गढ़	24°52'10.03"	74°36'58.49"
46	बसोथा	राजस्व	बैगून	चित्तौड़गढ़	25°3'25.13"	74°54'22.54"
47	नथवाथो का खेरा	राजस्व	बैगून	चित्तौड़गढ़	24°6'51.92"	74°52'57.21"
48	पात	राजस्व	बैगून	चित्तौड़गढ़	25°01'55.67"	74°51'52.04"
49	डेलवाद	राजस्व	बैगून	चित्तौड़गढ़	24°59'19.47"	74°51'36.91"
50	उमरखुना	राजस्व	बैगून	चित्तौड़गढ़	25°02'23.06"	74°53'58.58"
51	आमझारिया	राजस्व	बैगून	चित्तौड़गढ़	24°59'19.47"	74°51'36.91"
52	मलारिया	राजस्व	बैगून	चित्तौड़गढ़	24°59'14.21"	74°50'52.04"
53	निलिया का माल	राजस्व	बैगून	चित्तौड़गढ़	24°59'19.47"	74°54'36.91"
54	भाचेरी	राजस्व	बैगून	चित्तौड़गढ़	24°59'76.59"	74°54'90.56"
55	दोबला क्लान	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	24°57'1.65"	74°47'10.93"
56	दोबला बुर्द	राजस्व	चित्तौड़गढ़	चित्तौड़गढ़	24°58'49.86"	74°47'49.86"

## की गई कार्रवाई की रिपोर्ट का रूप विधान:

1. बैठकों की संख्या और तारीख ।
2. बैठकों का कार्यवृत्त: (कृपया मुख्य उल्लेखनीय बिंदुओं का उल्लेख करें । बैठक के कार्यवृत्त को एक पृथक उपाबंध में उपाबद्ध करें) ।
3. आंचलिक महायोजना की तैयारी की प्रारूपिति जिसके अंतर्गत पर्यटन महायोजना भी है।
4. भू-अभिलेख में सदृश्य वृद्धियों के सुधार के लिए ब्यौहार किए गए मामलों का सार (पारिस्थितिकी संवेदी जोन वार) । ब्यौरे उपाबंध के रूप में संलग्न किए जाएं।
5. पर्यावरण समाघात निवारण अधिसूचना, 2006 के अधीन आने वाले क्रियाकलापों की संवीक्षा के मामलों का सार। (ब्यौरे एक पृथक् उपाबंध के रूप में संलग्न किए जाएं)।
6. पर्यावरण समाघात निवारण अधिसूचना, 2006 के अधीन न आने वाले क्रियाकलापों की संवीक्षा के मामलों का सार । (ब्यौरे एक पृथक् उपाबंध के रूप में संलग्न किए जाएं)।
7. पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 19 के अधीन दर्ज की गई शिकायतों का सार ।
8. कोई अन्य महत्वपूर्ण विषय ।

## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

## NOTIFICATION

New Delhi, the 8th, April, 2021

S.O. 1717(E).—WHEREAS, a draft notification was published in the Gazette of India, Extraordinary, vide notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O 4008(E), dated the 4th November 2019, inviting objections and suggestions from all persons likely to be affected thereby within the period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public;

AND WHEREAS, copies of the Gazette containing the said draft notification were made available to the public on the 6th November 2019;

AND WHEREAS, objections and suggestions were received from persons and stakeholders in response to the aforesaid draft notification were duly considered by the Central Government;

WHEREAS, Bassi Wildlife Sanctuary is spread over an area of 138.69 square kilometres and located in Chittorgarh and Begun Tehsil of Chittorgarh District in the State of Rajasthan;

AND WHEREAS, the revenue area inside the notified boundary of the Bassi Wildlife Sanctuary is not part of the Sanctuary as mentioned in the notification. The Orai river across which Orai and Bassi dams have been constructed passes through this Sanctuary. These dams provide excellent water facility to wild animals and birds. It harbours rich biodiversity with the habitation of various types of wild animals and birds. A variety of medicinal plants and herbs are found in this area. The religious places such as Jhari Mahadev, Tukra Mata and Jhaleshwar Mahadev attract large number of pilgrims;

AND WHEREAS, the major tree species of the Sanctuary are *Acacia catechu* (khair), *Acacia leucophloea* (ronjh), *Acacia nilotica* (desi bawalia), *Acacia senegal* (kumta), *Adina cordifolia* (haldu), *Aegle marmelos* (bili), *Ailanthus excelsa* (ardusa, paba), *Alangium salvifolium* (ankol), *Albizia lebeck* (black siris), *Albizia odoratissima* (safed siris), *Albizia procera* (safed siris), *Annona squamosa* (sitaphal), *Anogeissus pendula* (dhokda), *Anogeissus latifolia* (dhavda), *Anogeissus sericea* (adruck, indok), *Anogeissus acuminata* (dhok), *Azadirachta indica* (neem), *Balanites aegyptia* (hingot), *Bauhenia recemosa* (jhinjha, heetri), *Bombax ceiba* (semal), *Boswellia serrata* (salar), *Butea monosperma* (khakhro), *Cassia fistula* (karmela), *Cassia siamca* (kasid), *Cordia mixa* (gunda, lisoda), *Crateva religiosa* (varna), *Dalbergia sissoo* (sissoo), *Diospyros melanoxylon* (tmru), *Ehretia laevis* (tambolia), *Embilca officinalis* (amla), *Erythrina suberosa* (dhd khakhro), *Euclyptus sp.* (nilgiri), *Ficus benghalensis* (vad), *Ficus*

*racemosa* (umara), *Ficus religiosa* (piplo), *Flacourtia montana* (kankan), *Gardenia resinifera* (dikamari), *Grewia hirsuta* (khad dhaman), *Grewia tenax* (gangeti), *Grewia tiliaefolia* (dhaman); *Grewia villosa* (gangeti), *Heloptelia integrifolia* (kanji), *Hymenodictyon excelsum* (lunio), *Lannea coromandelica* (godla), *Leucaena leucocephala* (subabul), *Limonia acidissima* (kotbadi), *Madhuca indica* (mahudo), *Mangifera indica* (amba), *Melia azadirach* (bakain neem), *Mitragyna parviflora* (kalam), *Moringa oleifera* (sahjana), *Pithecellobium dulce* (kikar), *Pongamia pinnata* (karanj), *Prosopis cineraria* (khijjo), *Prosopis juliflora* (vilayati), *Soymdia fabrifuga* (royan), *Sterculia urens* (kadaya), *Tamarindus indica* (khati amli), *Tecomella undulata* (rohida), *Wrightia tinctoria* (dudhi), *Wrightia tomentosa* (dudhi), *Zizyphus mauritiana* (bordi), *Zizyphus xylophyrus* (ghat bor), etc;

AND WHEREAS, the shrubs recorded from the Sanctuary are *Abelmoschus manihot* (jungli bhindi), *Achyranthus aspera* (ulta kanta), *Aloe vera* (patha), *Brassica nigra* (kali rai), *Cannabis sativa* (bhang), *Cassia abrus* (chimod), *Cassia tora* (puwad), *Chenopodium album* (chil), *Crotolaria juncea* (saniya), *Crotolaria medicaginea* (ran methi), *Desmodium dichotomum* (shal parni), *Eclipta alba* (bhangaro), *Evolvulus alsinoides* (kalishankhavali), *Leucas aspera* (kubi), *Leucas cephalotes* (kubo jungli), *Leucas zeylanica* (kubo), *Lindenbergia indica* (patharchati), *Ocimum canum* (jungli talsi), *Phyllanthus niruri* (bhoy amli), *Physalis minima* (popatiya), *Portulaca oleracea* (moti luni), *Portulaca quadrifida* (zini luni), *Sesamum indicum* (tal), *Solanum surattense* (bhoi ringni), *Tribulus terrestris* (gokharu), *Tridax procumbens* (kali mendhi), *Urginea indica* (jungli piyaji), *Vernonia anthihelminthica* (kali jiri), *Xanthium strumarium* (gokharu), *Zornia diphylla* (samar ani), etc;

AND WHEREAS, major shrubs available in the Sanctuary are *Adhatoda vesica* (ardusa), *Calotropis gigantea* (akdo), *Calotropis procera* (akdo), *Capparis decidua* (ker), *Capparis sepiaria* (kanther), *Clerodendron plomoides* (arani), *Dendrocolamus strictus* (bans), *Dendrothoe fulcata* (vahi-hankal), *Dichrostachys cinerea* (goya khair), *Euphorbia caducifolia* (thor), *Euphorbia nivulia* (thor), *Helicteres isora* (marod phali), *Holarrhena antidysenterica* (kadwa), *Jatropha carcus* (ratna jyot), *Jatropha gossypifolia* (chhoti ratan jyot), *Kirganelia reticulata* (kamboi), *Leptadenia pyrotechnica* (khipn), *Mimosa hamata* (aila), *Nyctenthes arbor-tristis* (tamat), *Plumbago zeylanica* (chitrak), *Ricinus communis* (arundo), *Securinega leucopyrus* (shenvi), *Thespesia lampas* (paras pipal), *Vitex nigundo* (nagod), *Vogelia indica* (chitawal), *Woodfordia fruticosa* (dhavadi), *Zizyphus glabrata* (bordi), *Zizyphus nummularia* (chanibor), etc;

AND WHEREAS, prominent climbers plant recorded from the Bassi Wildlife Sanctuary are *Abrus precatorius* (ratti), *Ampelocissus latifolia* (khata limbu), *Asparagus racemosus* (satvari), *Cardiospermum halicacabum* (kak mardika), *Celastrus paniculata* (mal), *Cissampelos pareira* (pahod bel), *Coccinia indica* (tindori), *Cocculus hirsutus* (vevdi), *Cuscuta reflexa* (amarvel), *Dioscorea bulbifera* (varahi kand), *Hemidesmus indicus* (dudhvel), *Ipomoea nil* (kaladana), *Luffa acutangula* (turia), *Luffa echinata* (kakadvel), *Mucuna pruriens* (kavach), *Peuraria tuberosa* (gejvi), *Rhynchosia bracteata* (kamal vel), etc;

AND WHEREAS, major fauna found in the Bassi Wildlife Sanctuary are wild boar (*Sus scrofa*), grey musk shrew (*Suncus murinus*), bat (*Cyanopterus sphynx*), flying fox (*Pteropus giganteus*), panther (*Panthera pardus*), common langur (*Prehytis entellus*), striped hyena (*Hyaena hyaena*), jungle cat (*Felis chaus*), five striped palm squirrel (*Funambulus pennanti*), Indian pangolin (*Manis caraccicaudata*), Indian fox (*Vulpes bengalensis*), common mongoose (*Herpestes edwardsi*), ruddy mongoose (*I. smithi*), house rat (*Rattus rattus*), blue bull (*Boselaphus tragocamelus*), Indian hare (*Lepus nigricollis*), Indian porcupine (*Hystrix indica*), chinkara (*Gazella gazella*), jackal (*Canis aureus*), Indian small civet (*Viverricula indica*), Indian bull frog (*Rana tigerina*), Indian burrowing frog (*R. tomopterna*), skipper frog (*R. cynophlyctus*), cricket frog (*R. limnocharis*), Indian balloon frog (*Uperodon systoma*), common toad (*Bufo melanocentus*), marbled toad (*B. andersoni*), common skink (*Mabuya carinata*), cheekered keelback (*Natrix piscator*), rat snake (*Ptyas mucosus*), house lizard (*Hemidactylus flaviviridis*), starred tortoise (*Geochelone elegans*), garden lizard (*Lalates versicolor*), common Indian krait (*Bungarus caeruleus*), Russel's viper (*Vipera russelli*), Indian chameleon (*Chamaeleon zeylanicus*), katla (*Catla catla*), rohu (*Labeo rohita*), grigal (*Cirrhina mrigal*), putthi (*Puntius sarana*), sarai (*Labogranus*), lanchi (*Wallago attu*), singhara (*Mystus senegalensis*), kater (*Mystus cavassius*), sanwal (*Channa manilius*), singhi (*Heteroptentistis fossilis*), bam (*M. armatus*), suiya (*Bellana cancella*), baata (*Labeo baata*), dudhia (*I. abeo bugget*), etc;

AND WHEREAS, the bird species recorded from the Bassi Wildlife Sanctuary are painted francolin (*Francolinus pictus*), grey francolin (*F. Pondicerianus*), common quail (*Coturnix coturnix*), barred button quail (*T. Suscitator*), Indian peafowl (*Pavo cristatus*), Rudd shelduck (*Tadorana ferruginea*), gadwal (*Anas strepera*), Eurasian wigeon (*A. Penelope*), spot-billed duck (*A. Pooecilorhyncha*), common Pochard (*Aythya farina*), common Teal (*A. Crecca*), yellow-crowned woodpecker (*Dendrocopos maharattensis*), black rumped flameback (*Dinopium benghalensis*), coppersmith barbet (*M. Heamecephala*), Indian grey hornbill (*Ocyrocus birostris*), common hoopoe (*Upupa epops*), European Roller (*Coracias garrulus*), Indian roller (*C. Benghalensis*), common kingfisher (*Upupa epops*), white-throated kingfisher (*Halcyon smyrnensis*), pied kingfisher (*Ceryle rudis*), green bee-eater (*Merops orientalis*), rose-ringed Parakeet (*P. Krameri plum-headed parakeet* (*P. cynocephala*), house swift (*Apus affinis*), Eurasian Eagle Owl (*Bubo bubo*), spotted owl (*Athene brama*), Indian nightjar (*Caprimulgus asiaticus*), cavanna nightjar (*C. Affinis*), rock pigeon (*Columba livia*), yellow-footed green pigeon (*Treron phaeocoptera*), laughing dove (*Streptopelia senegalensis*), spotted Dove (*S. Chincensis*), European collared dove (*S. decaocto*), common moorhen (*Gallinula chloropus*), common coot (*Fulica atra*), common redshank (*Tringa tetanus*), Green Sandpiper (*T.*

Ochropus), wood sandpiper (*T. glareola*), common sandpiper (*Actitis hypoleucos*), European thick-knee (*Burhinus oedicnemus*), Little-ringed plover (*Charadrius dubius*), red-wattled Lapwing (*Vanellus indicus*), River Tern (*Sterna aurantia*), black-shouldered kite (*Elanus caeruleus*), black kite (*Milvus migrans*), Egyptian vulture (*Neophron percnopterus*), etc;

AND WHEREAS, it is necessary to conserve and protect the area, the extent and boundaries of Bassi Wildlife Sanctuary which are specified in paragraph 1 as Eco-Sensitive Zone from ecological, environmental and biodiversity point of view and to prohibit industries or class of industries and their operations and processes in the said Eco-Sensitive Zone;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) and clauses (v) and (xiv) of sub-sections (2) and (3) of section 3 of the Environment (Protection) Act 1986 (29 of 1986) (hereafter in this notification referred to as the Environment Act) read with sub-rule (3) of rule 5 of the Environment (Protection) Rules, 1986, the Central Government hereby notifies an area to an extent varying from zero to 3.0 kilometres around the boundary of Bassi Wildlife Sanctuary, in Chittorgarh district in the State of Rajasthan as the Eco-sensitive Zone (hereafter in this notification referred to as the Eco-sensitive Zone) details of which are as under, namely: -

1. **Extent and boundaries of Eco-Sensitive Zone.** - (1) The Eco-Sensitive Zone shall be to an extent of zero to 3.0 kilometres around the boundary of Bassi Wildlife Sanctuary and the area of the Eco-Sensitive Zone is 106.91 square kilometres. The minimum extent of Eco-Sensitive Zone is zero at places where the National Highway and PWD road are marked as ESZ boundary.

Direction	Eco-sensitive Zone Boundary Points	Distance
North	1 to 14	0 to 3.0 kms
North-East	14 to 17	0.015 to 0.5 kms
East	17 to 48	0 to 1.11 kms
South-East	48 to 58	0 to 3.0 kms
South	58 to 81	0.5 to 3.0 kms
South-West	81 to 84	0.157 to 1.4 kms
West	84 to 89	0.015 to 0.325 kms
North-West	89 to 1	0.030 to 0.650 kms

- (2) The boundary description of Bassi Wildlife Sanctuary and its Eco-Sensitive Zone is appended in **Annexure-I**.
  - (3) The maps of the Bassi Wildlife Sanctuary demarcating Eco-Sensitive Zone along with boundary details and latitudes and longitudes are appended as **Annexure-IIA**, **Annexure-IIB** and **Annexure-IIC**.
  - (4) List of geo-coordinates of the boundary of Bassi Wildlife Sanctuary and Eco-Sensitive Zone are given in **Table A** and **Table B** of **Annexure III**.
  - (5) The list of villages falling in the proposed Eco-Sensitive Zone along with their geo co-ordinates at prominent points is appended as **Annexure-IV**.
2. **Zonal Master Plan for Eco-sensitive Zone.** - (1) The State Government shall, for the purposes of the Eco-sensitive Zone prepare a Zonal Master Plan within a period of two years from the date of publication of this notification in the Official Gazette, in consultation with local people and adhering to the stipulations given in this notification for approval of the competent authority of State.
- (2) The Zonal Master Plan for the Eco-Sensitive Zone shall be prepared by the State Government in such manner as is specified in this notification and also in consonance with the relevant Central and State laws and the guidelines issued by the Central Government, if any.
  - (3) The Zonal Master Plan shall be prepared in consultation with the following Departments of the State Government, for integrating the ecological and environmental considerations into the said plan:-
    - (i) Environment;
    - (ii) Forest and Wildlife;
    - (iii) Agriculture;
    - (iv) Revenue;
    - (v) Urban Development;
    - (vi) Tourism;

- (vii) Rural Development;
- (viii) Irrigation and Flood Control;
- (ix) Municipal;
- (x) Panchayati Raj; and
- (xi) Public Works Department.
- (4) The Zonal Master Plan shall not impose any restriction on the approved existing land use, infrastructure and activities, unless so specified in this notification and the Zonal Master Plan shall factor in improvement of all infrastructure and activities to be more efficient and eco-friendly.
- (5) The Zonal Master Plan shall provide for restoration of denuded areas, conservation of existing water bodies, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, needs of local community and such other aspects of the ecology and environment that need attention.
- (6) The Zonal Master Plan shall demarcate all the existing worshipping places, villages and urban settlements, types and kinds of forests, agricultural areas, fertile lands, green area, such as, parks and like places, horticultural areas, orchards, lakes and other water bodies with supporting maps giving details of existing and proposed land use features.
- (7) The Zonal Master Plan shall regulate development in Eco-Sensitive Zone and adhere to prohibited and regulated activities listed in the Table in paragraph 4 and also ensure and promote eco-friendly development for security of local communities' livelihood.
- (8) The Zonal Master Plan shall be co-terminus with the Regional Development Plan.
- (9) The Zonal Master Plan so approved shall be the reference document for the Monitoring Committee for carrying out its functions of monitoring in accordance with the provisions of this notification.
3. **Measures to be taken by the State Government.** -The State Government shall take the following measures for giving effect to the provisions of this notification, namely:-
- (1) **Land use.**- (a) Forests, horticulture areas, agricultural areas, parks and open spaces earmarked for recreational purposes in the Eco-sensitive Zone shall not be used or converted into areas for commercial or residential or industrial activities:
- Provided that the conversion of agricultural and other lands, for the purpose other than that specified at part (a) above, within the Eco-sensitive Zone may be permitted on the recommendation of the Monitoring Committee, and with the prior approval of the competent authority under Regional Town Planning Act and other rules and regulations of Central Government or State Government as applicable and *vide* provisions of this Notification, to meet the residential needs of the local residents and for activities such as:-
- widening and strengthening of existing roads and construction of new roads;
  - construction and renovation of infrastructure and civic amenities;
  - small scale industries not causing pollution;
  - cottage industries including village industries; convenience stores and local amenities supporting eco-tourism including home stay; and
  - promoted activities given under paragraph 4:
- Provided further that no use of tribal land shall be permitted for commercial and industrial development activities without the prior approval of the competent authority under Regional Town Planning Act and other rules and regulations of the State Government and without compliance of the provisions of article 244 of the Constitution or the law for the time being in force, including the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007):
- Provided also that any error appearing in the land records within the Eco-Sensitive Zone shall be corrected by the State Government, after obtaining the views of Monitoring Committee, once in each case and the correction of said error shall be intimated to the Central Government in the Ministry of Environment, Forest and Climate Change:
- Provided also that the correction of error shall not include change of land use in any case except as provided under this sub-paragraph;
- (b) efforts shall be made to reforest the unused or unproductive agricultural areas with afforestation and habitat restoration activities.

- (2) **Natural water bodies.**-The catchment areas of all natural springs shall be identified and plans for their conservation and rejuvenation shall be incorporated in the Zonal Master Plan and the guidelines shall be drawn up by the State Government in such a manner as to prohibit development activities at or near these areas which are detrimental to such areas.
- (3) **Tourism or Eco-tourism.**- (a) All new eco-tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be as per the Tourism Master Plan for the Eco-sensitive Zone;
- (b) the Eco-Tourism Master Plan shall be prepared by the State Department of Tourism in consultation with State Departments of Environment and Forests;
- (c) the Tourism Master Plan shall form a component of the Zonal Master Plan;
- (d) the Tourism Master Plan shall be drawn based on the study of carrying capacity of the Eco-Sensitive Zone;
- (e) the activities of eco-tourism shall be regulated as under, namely:-
- (i) new construction of hotels and resorts shall not be allowed within one kilometre from the boundary of the protected area or upto the extent of the Eco-Sensitive Zone whichever is nearer:
- Provided that beyond the distance of one kilometre from the boundary of the protected area till the extent of the Eco-Sensitive Zone, the establishment of new hotels and resorts shall be allowed only in pre-defined and designated areas for eco-tourism facilities as per Tourism Master Plan;
- (ii) all new tourism activities or expansion of existing tourism activities within the Eco-Sensitive Zone shall be in accordance with the guidelines issued by the Central Government in the Ministry of Environment, Forest and Climate Change and the eco-tourism guidelines issued by National Tiger Conservation Authority (as amended from time to time) with emphasis on eco-tourism, eco-education and eco-development;
- (iii) until the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities shall be permitted by the concerned regulatory authorities based on the actual site specific scrutiny and recommendation of the Monitoring Committee and no new hotel, resort or commercial establishment construction shall be permitted within Eco-Sensitive Zone area.
- (4) **Natural heritage.** - All sites of valuable natural heritage in the Eco-Sensitive Zone, such as the gene pool reserve areas, rock formations, waterfalls, springs, gorges, groves, caves, points, walks, rides, cliffs, etc. shall be identified and a heritage conservation plan shall be drawn up for their preservation and conservation as a part of the Zonal Master Plan.
- (5) **Man-made heritage sites.**- Buildings, structures, artefacts, areas and precincts of historical, architectural, aesthetic, and cultural significance shall be identified in the Eco-sensitive Zone and heritage conservation plan for their conservation shall be prepared as part of the Zonal Master Plan.
- (6) **Noise pollution.** -Prevention and control of noise pollution in the Eco-Sensitive Zone shall be complied in accordance with the provisions of the Noise Pollution (Regulation and Control) Rules, 2000 under the Environment Act.
- (7) **Air pollution.**- Prevention and control of air pollution in the Eco-sensitive Zone shall be compiled in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981) and the rules made thereunder.
- (8) **Discharge of effluents.** -Discharge of treated effluent in Eco-Sensitive Zone shall be in accordance with the provisions of the General Standards for Discharge of Environmental Pollutants covered under the Environment Act and the rules made thereunder or standards stipulated by State Government whichever is more stringent.
- (9) **Solid wastes.**-Disposal and Management of solid wastes shall be as under:-
- (a) the solid waste disposal and management in the Eco-Sensitive Zone shall be carried out in accordance with the Solid Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change vide notification number S.O. 1357 (E), dated the 8<sup>th</sup> April, 2016, the inorganic material may be disposed in an environmental acceptable manner at site identified outside the Eco-Sensitive Zone;

- (b) safe and Environmentally Sound Management (ESM) of Solid wastes in conformity with the existing rules and regulations using identified technologies may be allowed within Eco-Sensitive Zone.
- (10) **Bio-Medical Waste.**— Bio Medical Waste Management shall be as under:-
- (a) the Bio-Medical Waste disposal in the Eco-Sensitive Zone shall be carried out in accordance with the Bio-Medical Waste Management, Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* notification number G.S.R 343 (E), dated the 28<sup>th</sup> March, 2016;
- (b) safe and Environmentally Sound Management of Bio-Medical Wastes in conformity with the existing rules and regulations using identified technologies may be allowed within the Eco-Sensitive Zone.
- (11) **Plastic waste management.** - The plastic waste management in the Eco-Sensitive Zone shall be carried out as per the provisions of the Plastic Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* notification number G.S.R. 340(E), dated the 18<sup>th</sup> March, 2016, as amended from time to time.
- (12) **Construction and demolition waste management.** -The construction and demolition waste management in the Eco-Sensitive Zone shall be carried out as per the provisions of the Construction and Demolition Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change *vide* notification number G.S.R. 317(E), dated the 29<sup>th</sup> March, 2016, as amended from time to time.
- (13) **E-waste.**- The e - waste management in the Eco-sensitive Zone shall be carried out as per the provisions of the E-Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change, as amended from time to time.
- (14) **Vehicular traffic.** - The vehicular movement of traffic shall be regulated in a habitat friendly manner and specific provisions in this regard shall be incorporated in the Zonal Master Plan and till such time as the Zonal Master plan is prepared and approved by the Competent Authority in the State Government, the Monitoring Committee shall monitor compliance of vehicular movement under the relevant Acts and the rules and regulations made thereunder.
- (15) **Vehicular pollution.** -Prevention and control of vehicular pollution shall be in compliance with applicable laws and efforts shall be made for use of cleaner fuels.
- (16) **Industrial units.**— (i) On or after the publication of this notification in the Official Gazette, no new polluting industries shall be permitted to be set up within the Eco-sensitive Zone;
- (ii) only non-polluting industries shall be allowed within Eco-Sensitive Zone as per the classification of Industries in the guidelines issued by the Central Pollution Control Board in February, 2016, as amended from time to time, unless so specified in this notification, and in addition, the non-polluting cottage industries shall be promoted.
- (17) **Protection of hill slopes.** - The protection of hill slopes shall be as under:-
- (a) the Zonal Master Plan shall indicate areas on hill slopes where no construction shall be permitted;
- (b) construction on existing steep hill slopes or slopes with a high degree of erosion shall not be permitted.
4. **List of activities prohibited or to be regulated within Eco-sensitive Zone.**- All activities in the Eco sensitive Zone shall be governed by the provisions of the Environment Act and the rules made there under including the Coastal Regulation Zone, 2011 and the Environmental Impact Assessment Notification, 2006 and other applicable laws including the Forest (Conservation) Act, 1980 (69 of 1980), the Indian Forest Act, 1927 (16 of 1927), the Wildlife (Protection) Act, 1972 (53 of 1972) and amendments made thereto and be regulated in the manner specified in the Table below, namely:-

TABLE

S. No. (1)	Activity (2)	Description (3)
<b>A. Prohibited Activities</b>		
1.	Commercial mining, stone quarrying and crushing units.	(a) All new and existing mining (minor and major minerals), stone quarrying and crushing units are prohibited with immediate effect except for meeting the domestic needs

		<p>of bona fide local residents including digging of earth for construction or repair of houses within Eco-sensitive zone;</p> <p>(b) The mining operations shall be carried out in accordance with the order of the Hon'ble Supreme Court dated the 4th August, 2006 in the matter of T.N. Godavarman Thirumulpad Vs. UOI in W.P.(C) No.202 of 1995 and dated the 21st April, 2014 in the matter of Goa Foundation Vs. UOI in W.P.(C) No.435 of 2012.</p>
2.	Setting of industries causing pollution (Water, Air, Soil, Noise, etc.).	<p>New industries and expansion of existing polluting industries in the Eco-Sensitive Zone shall not be permitted:</p> <p>Provided that non-polluting industries shall be allowed within Eco-Sensitive Zone as per classification of Industries in the guidelines issued by the Central Pollution Control Board in February, 2016, as amended from time to time, unless otherwise specified in this notification and in addition the non-polluting cottage industries shall be promoted.</p>
3.	Establishment of major hydro-electric project.	Prohibited.
4.	Use or production or processing of any hazardous substances.	Prohibited.
5.	Discharge of untreated effluents in natural water bodies or land area.	Prohibited.
6.	Setting up of new saw mills.	New or expansion of existing saw mills shall not be permitted within the Eco-sensitive Zone.
7.	Setting up of brick kilns.	Prohibited.
8.	Commercial use of firewood.	Prohibited.
9.	New wood based industry.	Prohibited.
10.	Fishing.	Prohibited.
<b>B. Regulated Activities</b>		
11.	Commercial establishment of hotels and resorts.	<p>No new commercial hotels and resorts shall be permitted within one kilometer of the boundary of the protected area or upto the extent of Eco-Sensitive Zone, whichever is nearer, except for small temporary structures for eco-tourism activities:</p> <p>Provided that, beyond one kilometer from the boundary of the protected area or upto the extent of Eco-sensitive Zone whichever is nearer, all new tourist activities or expansion of existing activities shall be in conformity with the Tourism Master Plan and guidelines as applicable.</p>
12.	Construction activities.	<p>(a) New commercial construction of any kind shall not be permitted within one kilometer from the boundary of the protected area or upto extent of the Eco-Sensitive Zone, whichever is nearer:</p> <p>Provided that, local people shall be permitted to undertake construction in their land for their use including the activities mentioned in sub-paragraph (1) of paragraph 3 as per building byc-laws to meet the residential needs of the local residents.</p> <p>Provided further that the construction activity related to small scale industries not causing pollution shall be</p>

		regulated and kept at the minimum, with the prior permission from the competent authority as per applicable rules and regulations, if any. (b) Beyond one kilometer it shall be regulated as per the Zonal Master Plan.
13.	Small scale non-polluting industries.	Non-polluting industries as per classification of industries issued by the Central Pollution Control Board in February, 2016, as amended from time to time, and non-hazardous, small-scale and service industry, agriculture, floriculture, horticulture or agro-based industry producing products from indigenous materials from the Eco-sensitive Zone shall be permitted by the competent Authority.
14.	Felling of trees.	(a) There shall be no felling of trees in the forest or Government or revenue or private lands without prior permission of the Competent Authority in the State Government. (b) The felling of trees shall be regulated in accordance with the provisions of the concerned Central or State Act and the rules made thereunder.
15.	Collection of Forest produce or Non-Timber Forest produce.	Regulated as per the applicable laws.
16.	Erection of electrical and communication towers and laying of cables and other infrastructures.	Regulated under applicable laws (underground cabling may be promoted).
17.	Infrastructure including civic amenities.	Taking measures of mitigation as per the applicable laws, rules and regulations available guidelines.
18.	Widening and strengthening of existing roads and construction of new roads.	Taking measures of mitigation as per the applicable laws, rules and regulation and available guidelines.
19.	Undertaking other activities related to tourism like flying over the Eco-sensitive Zone area by hot air balloon, helicopter, drones, Microlites, etc.	Regulated as per the applicable laws.
20.	Protection of hill slopes and river banks.	Regulated as per the applicable laws.
21.	Movement of vehicular traffic at night.	Regulated for commercial purpose under applicable laws.
22.	Ongoing agriculture and horticulture practices by local communities along with dairies, dairy farming, aquaculture and fisheries.	Permitted as per the applicable laws for use of locals.
23.	Establishment of large-scale commercial livestock and poultry farms by firms, corporate and companies.	Regulated (except otherwise provided) as per the applicable laws except for meeting local needs.
24.	Discharge of treated waste water or effluents in natural water bodies or land area.	The discharge of treated waste water or effluents shall be avoided to enter into the water bodies and efforts shall be made for recycle and reuse of treated waste water. Otherwise the discharge of treated waste water or effluent shall be regulated as per the applicable laws.
25.	Commercial extraction of surface and ground water.	Regulated as per the applicable laws.
26.	Solid waste management.	Regulated as per the applicable laws.
27.	Introduction of exotic species.	Regulated as per the applicable laws.

28.	Eco-tourism.	Regulated as per the applicable laws.
29.	Use of polythene bags.	Regulated as per the applicable laws.
30.	Commercial sign boards and hoardings.	Regulated as per the applicable laws.
<b>C. Promoted Activities</b>		
31.	Rain water harvesting.	Shall be actively promoted.
32.	Organic farming.	Shall be actively promoted.
33.	Adoption of green technology for all activities.	Shall be actively promoted.
34.	Cottage industries including village artisans, etc.	Shall be actively promoted.
35.	Use of renewable energy and fuels.	Bio-gas, solar light etc. shall be actively promoted.
36.	Agro-Forestry.	Shall be actively promoted.
37.	Plantation of Horticulture and Herbs.	Shall be actively promoted.
38.	Use of eco-friendly transport.	Shall be actively promoted.
39.	Skill Development.	Shall be actively promoted.
40.	Restoration of degraded land/ forests/ habitat.	Shall be actively promoted.
41.	Environmental awareness.	Shall be actively promoted.

5. Monitoring Committee for Monitoring the Eco-Sensitive Zone Notification. -For effective monitoring of the provisions of this notification under sub-section (3) of section 3 of the Environment (Protection) Act, 1986, the Central Government hereby constitutes a Monitoring Committee, comprising of the following, namely:-

S. No.	Constituent of the Monitoring Committee	Designation
(i)	District Collector, Chittorgarh	Chairman, ex officio;
(ii)	One representative of Non-Governmental Organization working in the field of environment to be nominated by the Government of Rajasthan for a term of one year in each case	Member;
(iii)	One expert in the area of ecology and environment to be nominated by the Government of Rajasthan for a term of one year in each case	Member;
(iv)	One representative from the State Biodiversity Board	Member;
(v)	District level officers of the Public Works Department	Member;
(vi)	District level officers of the Town Planning Department	Member;
(vii)	District level officers of the Industry Department	Member;
(viii)	Regional Officer (RO) of the State Pollution Control Board	Member;
(ix)	Honorary Wildlife Warden, Chittorgarh	Member;
(x)	Assistant Conservator of Forests, Bassi Wildlife Sanctuary	Member-Secretary.

6. Terms of reference. - (1) The Monitoring Committee shall monitor the compliance of the provisions of this notification.

- (2) The tenure of the Monitoring committee shall be till further orders, provided that the non-official members of the Committee shall be nominated by the State Government from time to time.
- (3) The activities that are covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forests number S.O. 1533 (E), dated the 14<sup>th</sup> September, 2006, and are falling in the Eco-sensitive Zone, except for the prohibited activities as specified in the Table under paragraph 4

thereof, shall be scrutinised by the Monitoring Committee based on the actual site-specific conditions and referred to the Central Government in the Ministry of Environment, Forest and Climate Change for prior environmental clearances under the provisions of the said notification.

- (4) The activities that are not covered in the Schedule to the notification of the Government of India in the erstwhile Ministry of Environment and Forest number S.O. 1533 (E), dated the 14<sup>th</sup> September, 2006 and are falling in the Eco-sensitive Zone, except for the prohibited activities as specified in the Table under paragraph 4 thereof, shall be scrutinised by the Monitoring Committee based on the actual site-specific conditions and referred to the concerned regulatory authorities.
- (5) The Member-Secretary of the Monitoring Committee or the concerned Deputy Commissioner(s) shall be competent to file complaints under section 19 of the Environment Act, against any person who contravenes the provisions of this notification.
- (6) The Monitoring Committee may invite representatives or experts from concerned Departments, representatives from industry associations or concerned stakeholders to assist in its deliberations depending on the requirements on issue to issue basis.
- (7) The Monitoring Committee shall submit the annual action taken report of its activities as on the 31<sup>st</sup> March of every year by the 30<sup>th</sup> June of that year to the Chief Wildlife Warden in the State as per Performa appended at Annexure V.
- (8) The Central Government in the Ministry of Environment, Forest and Climate Change may give such directions, as it deems fit, to the Monitoring Committee for effective discharge of its functions.
7. The Central Government and State Government may specify additional measures, if any, for giving effect to provisions of this notification.
8. The provisions of this notification shall be subject to the orders, if any passed or to be passed by the Hon'ble Supreme Court of India or High Court or the National Green Tribunal.

[F. No. 25/21/2015-ESZ-RF]

DR. SATISH C. GARKOTI, Scientist 'G'

ANNEXURE- 1

BOUNDARY DESCRIPTION OF ECO-SENSITIVE ZONE OF BASSI WILDLIFE SANCTUARY IN THE STATE  
RAJASTHAN

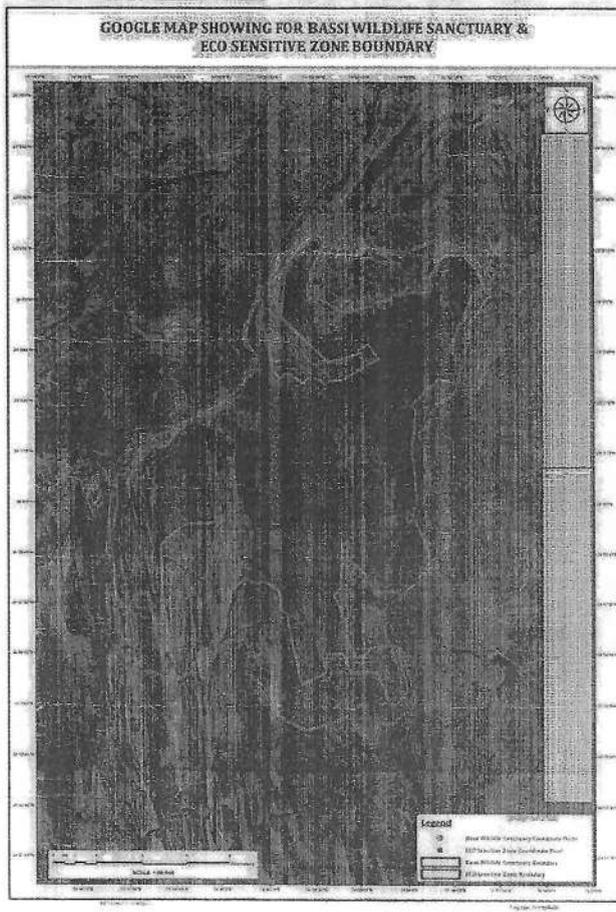
North	From Meghpura Chauraha the N.H. 76 upto the dispensary of Parsoli Village. From this point the ESZ Boundary continues along the N.H. 76 upto ESZ boundary Point no. 7 (Nala Bridge on N.H. 76 before Amarapura gravel road) then ESZ Boundary turn to south side along Nala near Amarapura village gravel road, Limestone mining area of Parsoli village upto Fatehpur village road then boundary turn to north side along with Fatehpur village road upto ESZ boundary point no. 9 (Fatehpur Road Bridge on N.H.76) of ESZ boundary. From this point the ESZ Boundary continues along the N.H. 76 Upto Nal Chauraha.
East	Thea area in between road from Nal Chauraha to villages Nal -Muroli-Umarkakhal Gatabav Tiraha , West Boundary of Anoppura -Fatehpura -Charcha village and up to MP Border of the Bassi wildlife sanctuary.
South	The area of Madhya Pradesh state in a length of 2 km from the boundary of Bassi wildlife sanctuary starting from Charcha village of Rajasthan, whole area of Kunthali, Mataji ka khera and Gwaliar kalan villages of Madhya Pradesh upto village Devdungari (Rajsthan).

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West	The area between the boundary of Bassi wildlife sanctuary from Devdugari village along vijaypur-Bassi road upto Bridge No. 8 From Bridge No. 8 to kailjar the Boundary of Eco-sensitive Zone and Bassi wildlife sanctuary shall overlap..From kailar village to Palka Tiraha along Vijaypur-Bassi and form Palka Tiraha to Meghpura Choraha along Bassi-Meghpura link Road.
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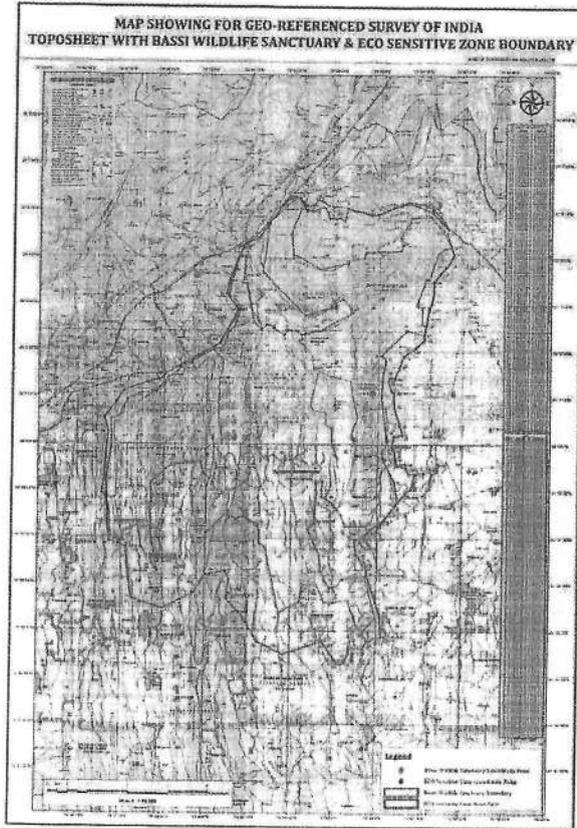
## ANNEXURE- IIA

## GOOGLE MAP OF ECO-SENSITIVE ZONE OF BASSI WILDLIFE SANCTUARY ALONG WITH LATITUDE AND LONGITUDE OF PROMINENT LOCATIONS



ANNEXURE- IIB

MAP OF ECO-SENSITIVE ZONE OF BASSI WILDLIFE SANCTUARY ALONG WITH LATITUDE AND LONGITUDE OF PROMINENT LOCATIONS ON SURVEY OF INDIA (SOI) TOPOSHEET



ANNEXURE- IIC

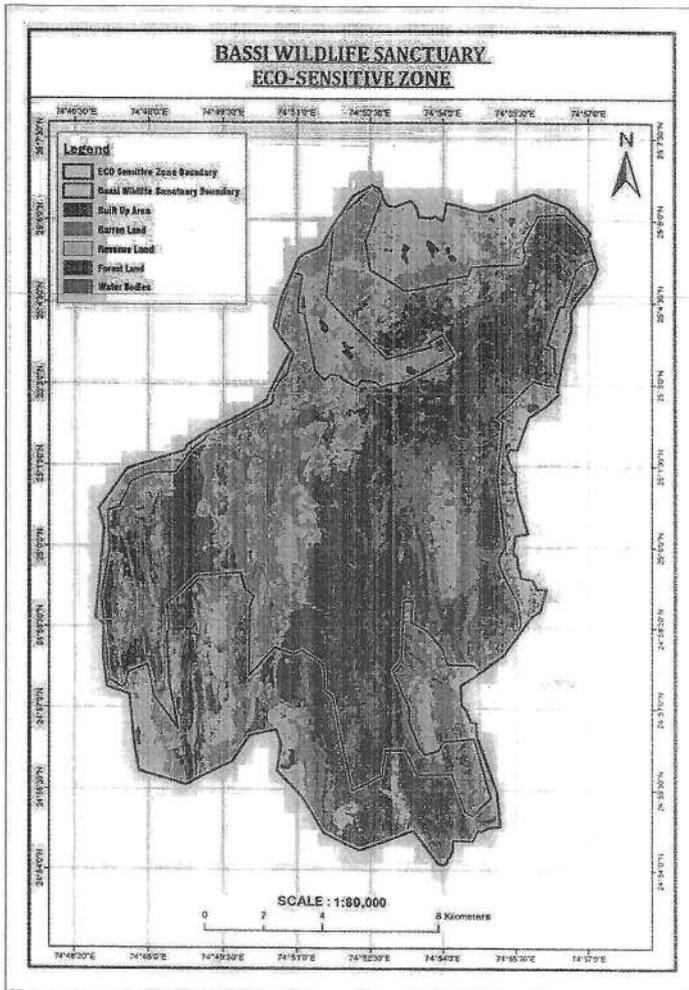
MAP SHOWING LANDUSE PATTERN OF ECO-SENSITIVE ZONE OF BASSI WILDLIFE SANCTUARY  
ALONG WITH LATITUDE AND LONGITUDE OF PROMINENT LOCATIONS

TABLE A: GEO- COORDINATES OF PROMINENT LOCATIONS OF BASSI WILDLIFE SANCTUARY

S.No	Identification of Prominent Points	Location/ Direction Prominent Point	Latitude (N) (DMS)			Longitude (E) (DMS)		
1	Near Bassi Dam	North-East	25	2	12.13	74	49	32.27
2			25	2	31.87	74	50	11.66
3	Bherughati	West-North	25	3	37.12	74	50	55.11
4			25	3	56.95	74	50	37.68
5			25	4	22.64	74	50	41.9
6	Near Rajgarh village	East	25	5	2.8	74	50	55.54
7			25	4	59.99	74	51	5.57
8			25	4	19.05	74	51	0.53
9			25	4	17.44	74	51	8.42
10			25	3	15.75	74	51	21.03
11			25	3	4.04	74	51	33.48
12			25	3	11.4	74	51	42.91
13			25	3	9.11	74	51	55.94
14			25	3	7.12	74	51	54.63
15			25	2	56.77	74	52	13.82
16			25	3	4.31	74	52	19.23
17			25	3	2.19	74	52	37.08
18			25	2	56.44	74	52	43.44
19			25	2	59.84	74	52	51.37
20			25	3	2.15	74	53	15.33
21			25	3	32.44	74	54	14.5
22			25	3	54.7	74	53	58.26
23			25	3	46.62	74	53	42.67
24			25	3	41.35	74	53	45.77
25			25	3	27.96	74	52	50.15
26			25	4	35.94	74	51	36.2
27			25	5	54.95	74	51	45.81
28			25	6	37.17	74	52	31.39
29	Near Forest Naka Parsoli	North-East	25	6	26.88	74	52	45.26
30			25	5	37.53	74	52	23.95
31			25	5	5.93	74	52	29.36
32	Near Nahargarh Palace	South	25	4	42.57	74	53	15.78
33			25	4	51.43	74	54	4.79
34			25	4	56.06	74	54	4.95
35			25	5	0.35	74	54	33.17
36			25	5	9.43	74	54	36.24
37			25	5	10.9	74	54	58.33
38			25	5	12.56	74	55	38.16

39			25	5	22.45	74	55	42.39
40			25	5	34.01	74	55	38.6
41			25	6	5.11	74	55	58.61
42			25	6	7.21	74	56	29.84
43	Near Somani Resort	East-South	25	5	44.83	74	56	53.03
44			25	5	17.78	74	57	7.47
45			25	5	14.71	74	56	53.99
46			25	5	6.62	74	56	43.7
47			25	4	26.01	74	56	28.93
48			25	4	26.7	74	56	24.15
49			25	3	44.39	74	56	9.52
50			25	3	40.64	74	56	18.06
51			25	3	13.49	74	56	18
52			25	3	10.56	74	56	25.13
53			25	2	56.96	74	56	21.6
54			25	3	3.94	74	55	52.85
55			25	2	23.93	74	55	5.71
56			25	2	18.09	74	55	13.46
57			25	1	18.4	74	55	6.85
58			25	0	0.49	74	55	16.41
59			24	59	48.34	74	55	7.97
60			24	59	35.09	74	55	10.87
61			24	58	57.6	74	55	32.51
62			24	58	34.5	74	55	36.19
63			24	58	21.59	74	55	32.29
64			24	58	0.52	74	55	14.05
65			24	57	42.59	74	54	45.34
66	Near Kadmali Talav	East	24	57	48.91	74	54	5.36
67			24	58	5.95	74	53	58.42
68			24	58	25.09	74	53	42.12
69			24	58	36.18	74	53	51.93
70			24	59	0.53	74	53	23.98
71			24	58	58.95	74	53	13.35
72			24	57	54.44	74	53	9.87
73			24	57	42.69	74	52	58.44
74			24	57	1.47	74	53	19.48
75			24	56	43.75	74	53	20.37
76			24	56	19.42	74	53	30.62
77			24	56	8.76	74	53	38.09
78			24	56	13.89	74	53	53.68
79			24	56	23.82	74	54	0.72
80			24	56	26.76	74	54	39.75
81			24	55	20.25	74	54	59.06
82	M.P Border		24	54	59.97	74	54	37.74

83	M.P. Border		24	55	4.61	74	55	27.05
84	M.P. Border		24	55	48.15	74	54	10.57
85	M.P. Border		24	55	46.44	74	53	28.81
86	M.P. Border		24	56	14.3	74	53	14.82
87	M.P. Border		24	56	14.07	74	52	48.76
88	M.P. Border		24	55	46.62	74	52	44.67
89	M.P. Border		24	55	28.75	74	52	9.37
90	M.P. Border		24	57	13.41	74	51	44.72
91	M.P. Border		24	57	20.43	74	51	33.84
92	M.P. Border		24	57	40.29	74	51	33.48
93	M.P. Border		24	57	49.45	74	51	30.53
94	M.P. Border		24	58	4.2	74	51	5.65
95	M.P. Border		24	58	0.03	74	50	55.63
96	M.P. Border		24	58	7.12	74	50	34.55
97	M.P. Border		24	57	35.7	74	50	0.4
98			24	58	52.29	74	50	1.43
99			24	59	4.59	74	50	6.44
100			24	59	13.64	74	49	55.08
101			24	59	30.92	74	49	50.27
102			24	59	27.01	74	48	57.22
103			24	58	56.11	74	48	21.11
104			24	58	27.72	74	48	23.12
105			24	58	23.07	74	48	20.8
106			24	57	29.11	74	48	23.23
107			24	56	36.43	74	48	34.26
108			24	57	12.78	74	48	6.29
109			24	57	48.59	74	47	58.92
110			24	57	39.03	74	47	34.4
111	MDR Bassi-Vijaipur		24	57	25.42	74	47	31.1
112			24	57	23.27	74	47	25.99
113			24	57	31.28	74	47	9.64
114			24	58	32.86	74	47	3.88
115			24	59	4.19	74	47	0.07
116			24	59	54.38	74	47	10
117	Near Vijaipur Tiraha	East	25	0	39.54	74	47	8.54
118			25	0	43.14	74	47	22.44
119			25	1	0.02	74	47	32.41
120			25	1	11.34	74	47	38
121			25	1	20.85	74	48	1.29
122			25	1	22.46	74	48	30.63
123			25	1	47.25	74	48	50.72
124			25	1	56.88	74	49	7.42
125			25	2	7.01	74	49	14.43

TABLE B: GEO-COORDINATES OF PROMINENT LOCATIONS OF ECO-SENSITIVE ZONE

Point No.	Latitude (N) (DMS)			Longitude (E) (DMS)		
1	25	6	38.51	74	52	31.26
2	25	6	35.43	74	52	40.26
3	25	6	29.69	74	52	44.29
4	25	6	22.3	74	52	46.64
5	25	6	16.44	74	52	51.82
6	25	6	14.71	74	53	1.24
7	25	6	21.52	74	53	21.94
7 I	25	6	13.69	74	53	28.71
7 II	25	6	3.48	74	53	31.81
8	25	6	3.57	74	53	34.35
8 I	25	6	2.57	74	53	44.12
8 II	25	6	4.44	74	53	50.79
8 III	25	5	59.49	74	53	59.75
9	25	6	19.49	74	54	4.13
10	25	6	10.12	74	54	45.15
11	25	6	10.32	74	54	56.76
12	25	6	21.36	74	55	26.51
13	25	6	29.13	74	55	53.82
14	25	6	14.89	74	56	31.93
15	25	5	47.19	74	57	2.23
16	25	5	41.21	74	56	59.6
17	25	5	7.66	74	57	12
18	25	4	51.17	74	57	3.53
19	25	4	34.51	74	56	47.23
20	25	4	22.23	74	56	37.85
21	25	4	1.06	74	56	37.66
22	25	3	36.42	74	56	29.7
23	25	2	54.41	74	56	20.78
24	25	2	49.8	74	56	22.72
25	25	2	35.18	74	56	6.63
26	25	2	23.56	74	55	46.77
27	25	2	6.9	74	55	39.45
28	25	1	47.79	74	55	31.32
29	25	1	48.78	74	55	22.12
30	25	1	42.03	74	55	18.44
31	25	1	26.63	74	55	24.42
32	25	1	22.5	74	55	28.76
33	25	1	0.53	74	55	29.83
34	25	0	28.81	74	55	40.64
35	25	0	15.25	74	55	45.49
36	25	0	13.38	74	55	29.22

37	24	59	57.61	74	55	26.49
38	24	59	53.99	74	55	26.39
39	24	59	51.63	74	55	27.76
40	24	59	50.15	74	55	31.22
41	24	59	36.67	74	55	32.37
42	24	59	36.05	74	55	34.09
43	24	59	26.17	74	55	35.93
44	24	59	23.47	74	55	51.74
45	24	59	13.56	74	55	56.82
46	24	59	13.78	74	56	7.59
47	24	58	48.91	74	56	1.13
48	24	58	43.02	74	55	50.93
49	24	58	18.98	74	55	30.39
50	24	57	58.72	74	55	13.02
51	24	57	34.57	74	54	38.56
52	24	57	26.12	74	54	22.41
53	24	57	3.73	74	54	23.01
54	24	56	59.32	74	54	29.19
55	24	56	44.93	74	54	35.88
56	24	56	44.03	74	54	42.12
57	24	56	29.53	74	54	42.71
58	24	55	26.86	74	55	6.33
59	24	54	48.54	74	55	10.01
60	24	54	46.89	74	54	55.62
61	24	54	42.87	74	54	48.37
62	24	54	41.72	74	54	44.22
63	24	54	31.8	74	54	37.72
64	24	54	32.95	74	54	12.7
65	24	54	22.48	74	54	12.34
66	24	54	14.05	74	54	7.53
67	24	54	12.54	74	54	5.07
68	24	54	8.22	74	54	4.44
69	24	54	6.27	74	54	0.15
70	24	54	7.42	74	53	53.44
71	24	54	43.4	74	53	24.75
72	24	54	21.82	74	52	16.93
73	24	54	41.39	74	51	32.46
74	24	55	25.01	74	51	2.77
75	24	55	51.05	74	50	37.23
76	24	56	20.72	74	50	42.01
77	24	56	36.33	74	50	35.73
78	24	56	29.47	74	50	0.71
79	24	56	0.56	74	49	39.85
80	24	55	35.39	74	48	43.91

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81	24	55	50.47	74	47	48.8
82	24	56	24.1	74	47	42.4
83	24	57	14.72	74	47	36.78
84	24	57	23.41	74	47	7.49
85	24	57	56.7	74	47	2.76
86	24	58	33.24	74	47	3.17
87	24	58	39.83	74	46	53.84
88	25	0	19.49	74	47	3.61
89	25	0	41.56	74	46	57.1
90	25	1	25.45	74	47	32.45
91	25	1	46.29	74	48	41.47
92	25	1	52.2	74	48	45.51
93	25	2	8.15	74	49	14.45
94	25	2	41.52	74	50	22.42
95	25	3	36.32	74	50	52.95
96	25	4	2.98	74	50	33.25
97	25	4	33.76	74	50	41.85
98	25	5	17.6	74	51	1.44
99	25	5	22.67	74	51	6.44
100	25	5	31.59	74	51	29.32
101	25	5	53.11	74	51	44.01
102	25	6	12.36	74	52	0.21
103	25	6	26.3	74	52	9.71

## ANNEXURE-IV

## LIST OF VILLAGES COMING UNDER ECO-SENSITIVE ZONE OF BASSI WILDLIFE SANCTUARY ALONG WITH GEO-COORDINATES

S.No.	Village Name	Type of Village	Tehsil/ Taluka	District	Latitude(N) (DMS Format)	Longitude(E) (DMS) Format
1	Parsoli (partial)	Revenue	Begun	Chittorgarh	24° 6' 3.67''	74°53'40.87''
2	Nahargarh	Revenue	Begun	Chittorgarh	25°05'17.57''	74°53'41.83''
3	Ganesh Ganj	Revenue	Begun	Chittorgarh	25°05'13.00''	74°53'50.01''
4	Amapura	Revenue	Begun	Chittorgarh	24° 05'52.71''	74°54'45.54''
5	Fathapura	Revenue	Begun	Chittorgarh	25° 05'20.00''	74° 54' 12.20''
6	Gangapur	Revenue	Begun	Chittorgarh	25° 6'27.81''	74°55'26.79''
7	Bichor (partial)	Revenue	Begun	Chittorgarh	25° 6'22.64''	74°56'7.76''
8	Naal (partial)	Revenue	Begun	Chittorgarh	25° 4'8.34''	74°56'18.29''
9	Devria (partial)	Revenue	Begun	Chittorgarh	25° 03'3.80''	74°56'50.52''
10	Muroli (partial)	Revenue	Begun	Chittorgarh	25° 2'54.34''	74°56'7.76''
11	Sopura	Revenue	Begun	Chittorgarh	25° 1'17.34''	74°55'36.20''
12	Ghanshyampura (partial)	Revenue	Begun	Chittorgarh	25°01'89.56''	74°55'27.88''
13	Umar ka khal (partial)	Revenue	Begun	Chittorgarh	24°59'42.34''	74°55'49.35''

14	Kheri Anuppura	Revenue	Begun	Chittorgarh	24°58'91.34"	74°54'60.09"
15	Majeri	Revenue	Begun	Chittorgarh	24° 57' 30.10"	74° 53' 27.10"
16	Javdiya Naya	Revenue	Begun	Chittorgarh	24°57'06.55"	74°53'04.29"
17	Javdiya Juna	Revenue	Begun	Chittorgarh	24°57'10.43"	74°53'48.07"
18	Kuntali (M.P.) (partial)	Revenue	Nimach (M.P.)	Nimach (M.P.)	24°54'7.62"	74°54'29.92"
19	Mataji ka khera (M.P.)	Revenue	Nimach (M.P.)	Nimach (M.P.)	24°56'44.88"	74°53'39.37"
20	Gwaliyar Kalan (M.P.) (partial)	Revenue	Nimach (M.P.)	Nimach (M.P.)	24°56'36.51"	74°51'48.97"
21	Phusriya	Revenue	Chittorgarh	Chittorgarh	24°58'73.85"	74°49'44.69"
22	Mewasa	Revenue	Chittorgarh	Chittorgarh	25°0'1.38"	74°48'24.64"
23	Kevdiya	Revenue	Chittorgarh	Chittorgarh	24°59'90.50"	74°50'17.23"
24	Suratsingh ka khera	Revenue	Chittorgarh	Chittorgarh	24°58'51.92"	74°49'57.12"
25	Garol	Revenue	Chittorgarh	Chittorgarh	24°55'55.83"	74°49'6.76"
26	Banda	Revenue	Chittorgarh	Chittorgarh	24°57'12.42"	74°47'43.96"
27	Rajpuria	Revenue	Chittorgarh	Chittorgarh	24°56'32.44	74°48'41.16"
28	Devdugeri (partial)	Revenue	Chittorgarh	Chittorgarh	24°56'58.28"	74°48'64.89"
29	Bawri khera	Revenue	Chittorgarh	Chittorgarh	24°57'15.71"	74°48'58.13"
30	Bhungriya	Revenue	Chittorgarh	Chittorgarh	24° 57' 10.40"	74° 47' 45.20"
31	Kailjar (partial)	Revenue	Chittorgarh	Chittorgarh	24°58'52.07"	74°47'7.52"
32	Bassi (partial)	Revenue	Chittorgarh	Chittorgarh	25°0'148.49"	74°46'57.21"
33	Palka (partial)	Revenue	Chittorgarh	Chittorgarh	25°02'56.58"	74°47'38.71"
34	Naya Palka	Revenue	Chittorgarh	Chittorgarh	25°02'56.58"	74°48'38.71"
35	Meghpura (partial)	Revenue	Chittorgarh	Chittorgarh	24°02'36.77"	74°48'48.22"
36	Gopalpura (partial)	Revenue	Begun	Chittorgarh	25°04'30.67"	74°50'50.90"
37	Kundaliya	Revenue	Begun	Chittorgarh	25°03'1.45"	74°51'40.62"
38	Rajpuria	Revenue	Begun	Chittorgarh	25°03'13.45"	74°50'44.12"
39	Champuria	Revenue	Begun	Chittorgarh	25°04'59.19"	74°50'57.21"
40	Naya gao	Revenue	Begun	Chittorgarh	25°04' 14.48"	74°51' 14.62"
41	Rajgarh Singari (partial)	Revenue	Begun	Chittorgarh	25°05'9.18"	74°51'23.32"
42	Sultanpura	Revenue	Begun	Chittorgarh	24°04'0.14"	74°51'3.30"
43	Dekrikhera	Revenue	Begun	Chittorgarh	25°4' 7.68"	74°51'34.14"
44	Mahesara	Revenue	Begun	Chittorgarh	25°38'59.94"	74°52'47.82"
45	Ullupura	Revenue	Begun	Chittorgarh	24°52'10.03"	74°36'58.49"
46	Basohta	Revenue	Begun	Chittorgarh	25°3'25.13"	74°54'22.54"
47	Nathawatho ka khera	Revenue	Begun	Chittorgarh	24°6'51.92"	74°52'57.21"
48	Paat	Revenue	Begun	Chittorgarh	25°01'55.67"	74°51'52.04"
49	Delwad	Revenue	Begun	Chittorgarh	24°59'19.47"	74°51'36.91"
50	Umarthuna	Revenue	Begun	Chittorgarh	25°02'23.06"	74°53'58.58"
51	Aamjharla	Revenue	Begun	Chittorgarh	24°59'19.47"	74°51'36.91"
52	Salariya	Revenue	Begun	Chittorgarh	24°59'14.21"	74°50'52.04"

53	Niliya Ka maal	Revenue	Begun	Chittorgarh	24°59'19.47''	74°54'36.91''
54	Bhacheri	Revenue	Begun	Chittorgarh	24°59'76.59''	74°54'90.56''
55	Bobla Kalan	Revenue	Chittorgarh	Chittorgarh	24°57'1.65''	74°47'10.93''
56	Bobla Khurd	Revenue	Chittorgarh	Chittorgarh	24°58'49.86''	74°47'49.86''

## ANNEXURE -V

**Performa of Action Taken Report:**

1. Number and date of meetings.
2. Minutes of the meetings: (mention noteworthy points. Attach minutes of the meeting as separate Annexure).
3. Status of preparation of Zonal Master Plan including Tourism Master Plan.
4. Summary of cases dealt with rectification of error apparent on face of land record (Eco-sensitive Zone wise). Details may be attached as Annexure.
5. Summary of cases scrutinised for activities covered under the Environment Impact Assessment Notification, 2006 (Details may be attached as separate Annexure).
6. Summary of cases scrutinised for activities not covered under the Environment Impact Assessment Notification, 2006 (Details may be attached as separate Annexure).
7. Summary of complaints lodged under section 19 of the Environment (Protection) Act, 1986.
8. Any other matter of importance.

List of Committee Members with Phone and E-mail address

S. No.	Name of organization (Member of Committee)	Name of Nominee	Contact No.	E-Mail
1	Chief Wildlife Warden, Rajasthan	Sh. Arindam Tomar, APCCF & CWLW Raj	9414112921 0141-2700151	pccf.cwlv.forest@rajasthan.gov.in
2	Wildlife Institute of India, Dehradun	Dr. J. Antony Johnson, Scientist-E	9410992211	jaj@wii.gov.in
3	Indian School of Mines, Dhanbad	Prof. Sh. Gurdeep Singh, Dept. of ESE, IIT (ISM)	9431711184	gurdeep@iitism.ac.in director@iitism.ac.in
4	ICAR-Indian Institute of Soil and Water Conservation, Dehradun	Dr. Shakir Ali, C. Scientist (Engineering)	9928945842	shakir.ali2@gmail.com
5	IIT Roorkee	Sh. B.K. Yadav, Prof. Dpt. Of Hydrology	8979534484 01332-284755	brjesh.yadav@hy.iitr.ac.in
6	CPCB	Sh. Sunil Kumar Meena, Scientist 'D'	9617007250	sunil.cpcb@gov.in
7	State PCB	Sh. O. P. Gupta RO RSPBC Chittorgarh	9413259185 9610419599	ro.chittorgarh@gmail.com
8	District Magistrate, Chittorgarh	Sh. Tara Chand Meena DM Chittorgarh	9414027148 01472-240001	dm-chi-rj@nic.in rajchi@nic.in

Name of other officers present during site visit

S. No.	Name of officer	Designation
1	Sh. R.K. Khairwa	CCF WL Udaipur
2	Dr. T. Mohan Raj	DCF WL Chittorgarh
3	Sh. Sugna Ram Jat	DCF Chittorgarh
4	Sh. Ratan Kumar	ADM Chittorgarh
5	Sh. Vineet Gahlot	ME Chittorgarh
6	Sh. Sunil Kumar Singh	ACF WL Bassi
7	Sh. Abdul Salim	RFO WL Bassi

Jay

Extent of ESZ on Mine site and distance from sanctuary and ESZ boundary

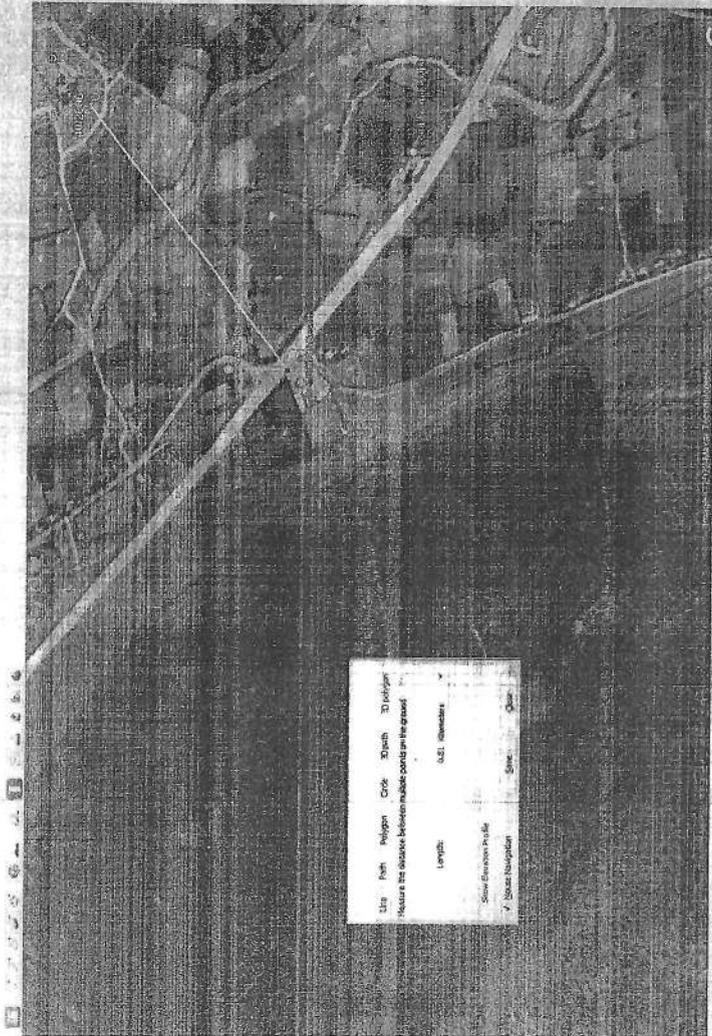
128

Name of Mine site	Direction	Extent of ESZ Boundary		Nearest distance of Mines site	
		ESZ Boundary Points	Distance	From sanctuary Boundary	From ESZ Boundary
Parsoli	North	1 to 14	0 to 3 kms	1.46 Km	0 Km
Bichor	North-East	14 to 17	0.015 to 0.5 kms	1.05 Km	0.81 Km
Birla	West	84 to 89	0.015 to 0.325 kms	8.3 Km	8.1 Km

*Jay*

[Dr. T. Mohan Raj, I.F.S.]  
Dy. Conservator of Forests (Wildlife)  
Chittorgarh (Raj)

BICHOR MINE DISTANCE FROM ESZ 0.81 KM



*Ray*  
 (Dr. T. Mohan Reddy, V.P.S.)  
 Dy. Commissioner of Income Tax (Circular)  
 Chittoor (P.O.)

BICHOR MINE DISTANCE FROM SANCTUARY 1.05 KM

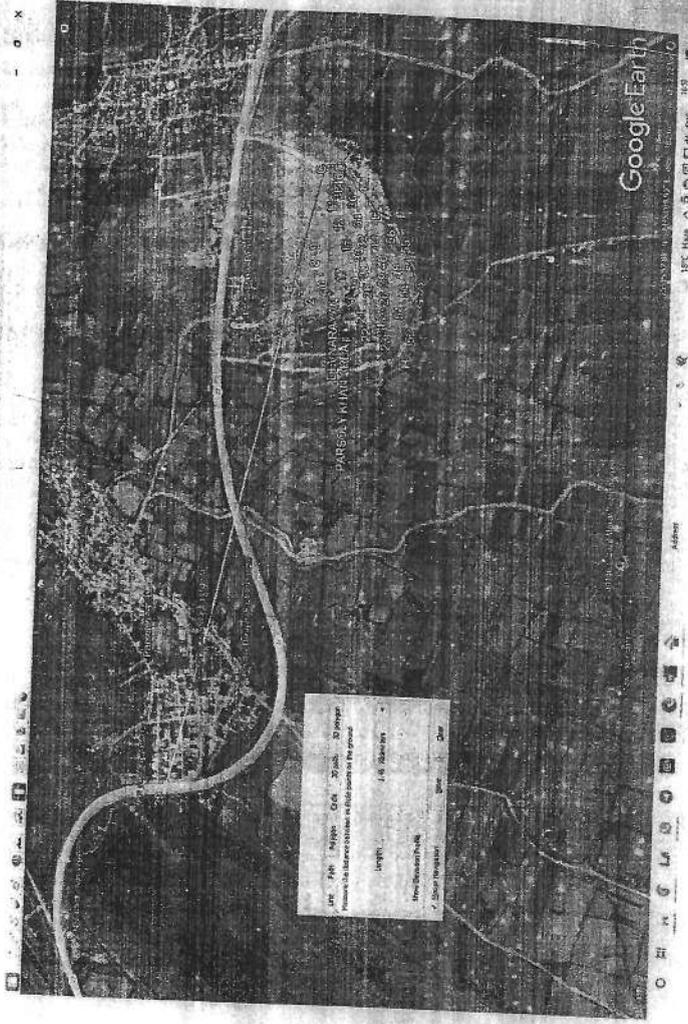


Line: 1.05 km    30 m (100 ft)    30 polygons  
 Measure line segments with their midline parallel to the ground.  
 Length: 1.05 Kilometers  
 Close this window  
 Cancel/Apply/OK

Roy  
 (Dr. T. Mohan Rao, I.F.S.)  
 Dy. Conservator of Forests (Wildlife)  
 Chittoor (Dist)

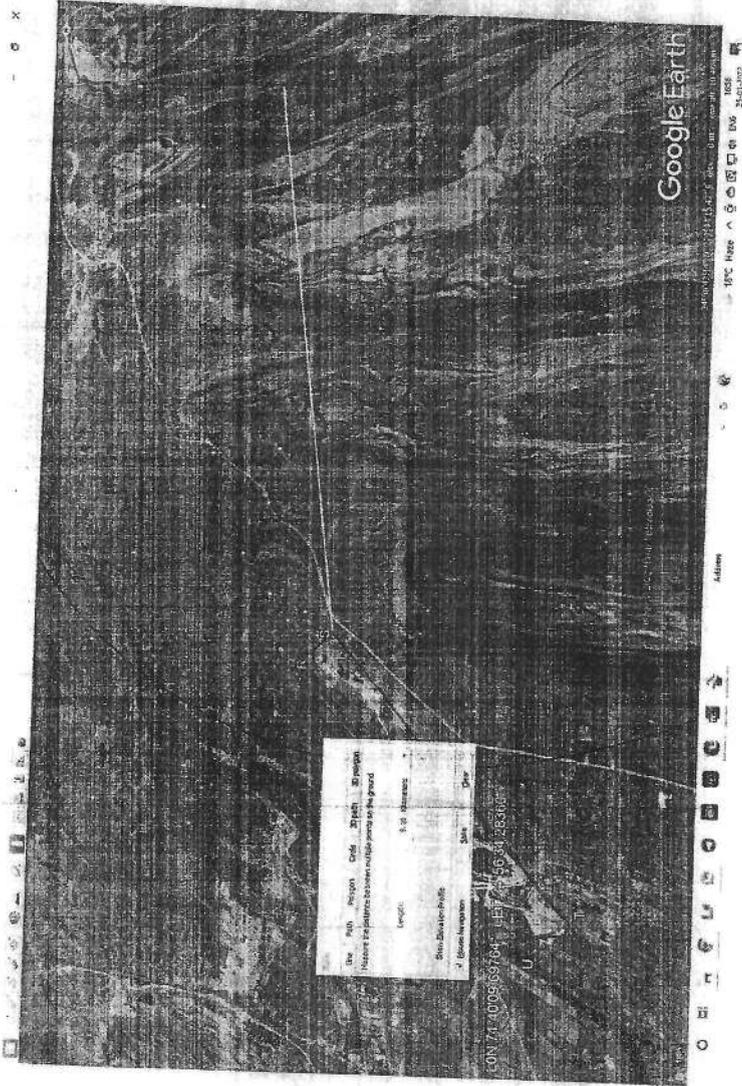


PARSOLI MINE DISTANCE FROM SANCTUARY 1.46 KM



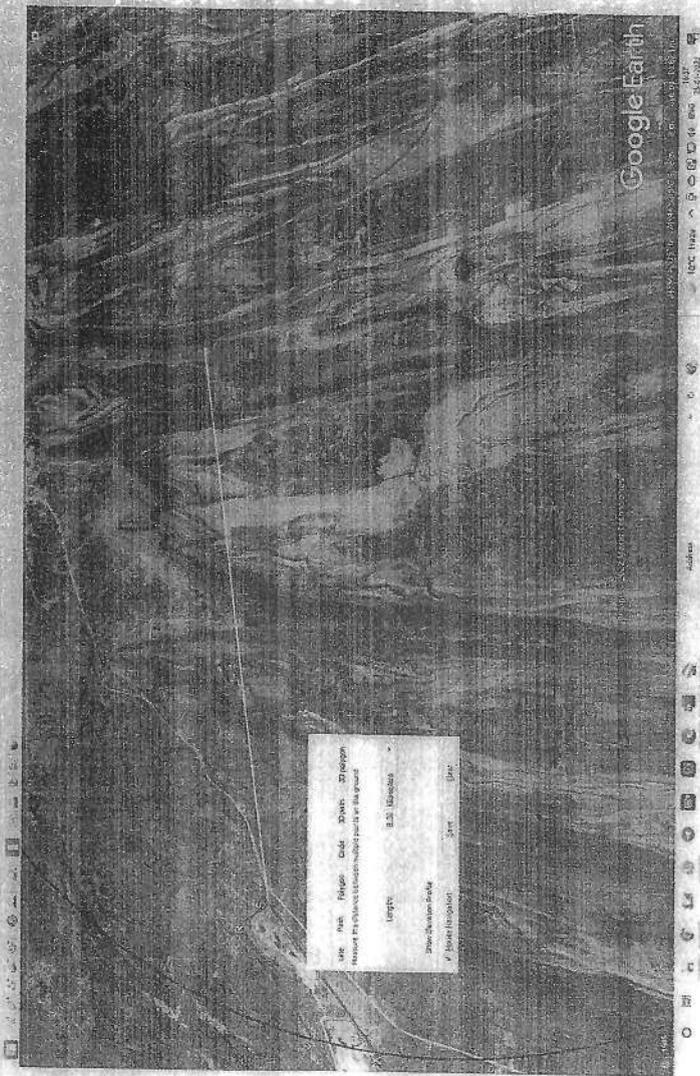
*Dr. T. Mohan Raj, I.F.S.*  
 Dy. Conservator of Forests (Wildlife)  
 Chittoor (R)

BIRLA CEMENT MINE DISTANCE FROM ESZ & I KM



*Dr.*  
**Dr. T. Madhukar Reddy, I.F.S.**  
 Dy. Conservator of Forests (Wildlife)  
 Chittoor, A.P. (R.S.)

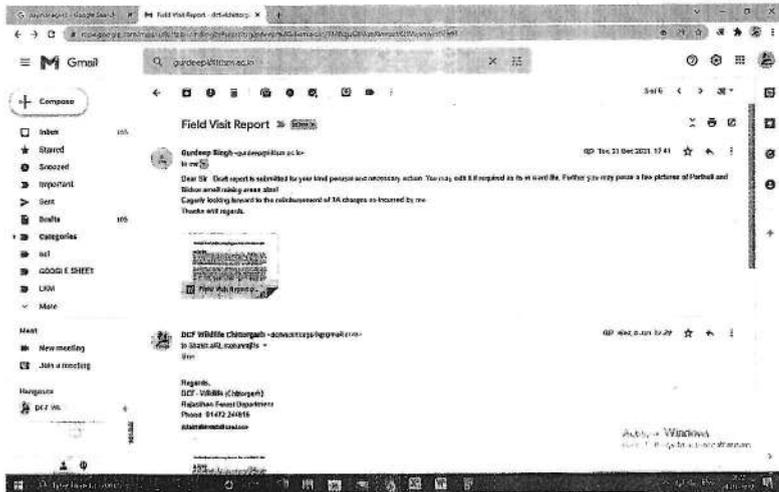
BIRLA CEMENT MINE DISTANCE FROM SANCTUARY 8.3 KM



## Annexure-6

The reports / opinions received from various members of the Joint Committee are as under

### 1. Sh. Gurdeep Singh Prof. IIT ISM Dhanbad



### Field Visit Report on Birla Cement Limestone Mines on December 5, 2021

#### Introduction:-

Company is operating limestone mines having M.L. Area – 588.59 Ha. with the production capacity of 4.324 MTPA, near villages: Bherda, Jai, Surjana & Nagri, P.O. Semalpura, Tehsil & District Chittorgarh (Rajasthan). The site is connected to NH-76 i.e. ~0.6 km in SE direction and NH-79 i.e. ~1.2 Km in WNW direction. The nearest railway station is Chanderia i.e. ~1.7 Km which is in NW direction and the nearest airport is Maharana Pratap Airport, Udaipur i.e. ~82 Km in SW direction.

The mining plan was approved by IBM vide letter no.- 584 (4) (3) (1869) / 2021 RCOM – AJM dated 19.07.2021 which is valid up to FY 2024-25. Environmental Clearance was granted for enhancement of production capacity of 4.324 MTPA by MoEF&CC vide letter no.- J-11015/73/2014-IA.II (M) dated 14th Aug, 2020. Consent to Operate was granted by Rajasthan State Pollution Control Board vide letter no.- F(Mines) / Chittorgarh (Chittorgarh) / 4858(1) / 2020-2021 / 4099 /

4103 dated 23.12.2020 which is valid up to 30th Nov, 2025. For this NBWL In-principle approval was granted by the Chief Wildlife Warden vide letter no. F () WLC / CWLW / 2019 on 27.02.2020 and final sanction for the same was granted vide letter no. F () WLC / CWLW / 2019 / 8419 on 30.09.2020.

The mining operations are carried out as per approved mining plan. Environmental monitoring work is carried out regularly. During last 2 years, plantation of more than 40000 local species have been planted.

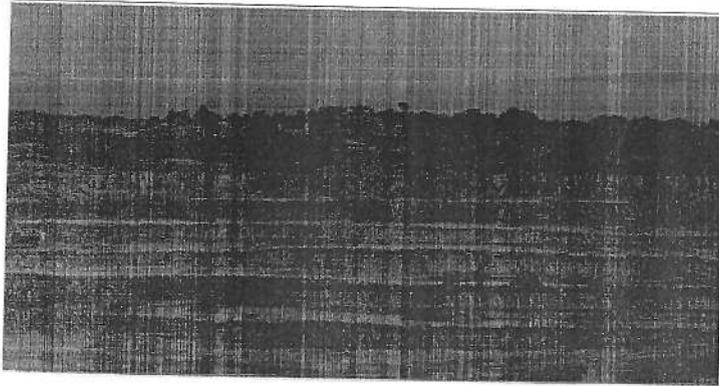
### **Mining Operations:-**

The compressive strength of rock varies from 50 -140 MPa, as such the deposit is categorized as hard rock. Presently mechanical mining is carried out and excavation is being done by deploying primary impact Rock Breakers and splitter for excavation of hard rock. Earlier various mining equipment viz Surface Miner, Vibro Ripper, Terminators, Wire Saw, Trencher were deployed but could not succeed due to hard rock.

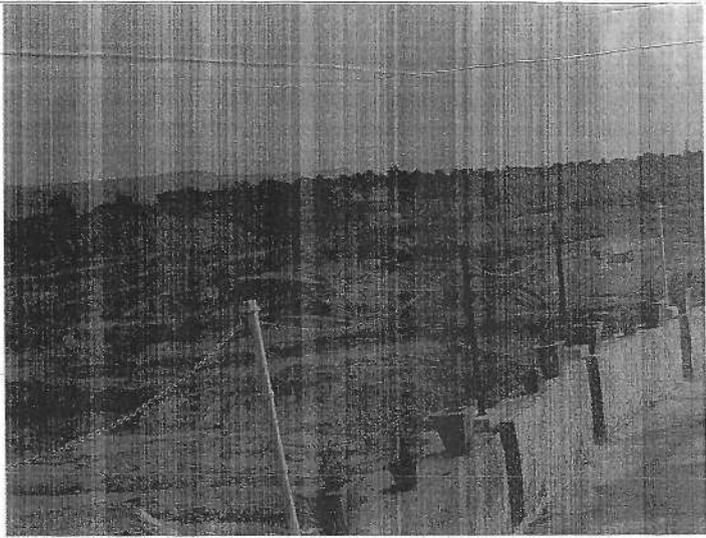
Salient features of Mining Operations:

- working with systematic mining with proper benching of 3m height by mechanical method without blasting. Primary breaker of 10 Ton class with Excavator of 100 Ton class and limestone transport by 60 Ton dumpers up to crusher.
- Maintaining haul road with one way traffic system having sufficient bench width, proper gradient and street light arrangements in between.
- For improvement in illumination system high mask lighting tower, local lighting tower and street lights are provided in mines in different locations.
- Dewatering arrangement is maintained by pontoon pumps.
- Limestone production per day is of 8000 -10000 Tons.
- Crusher with screening plant having capacity 1000 Tons per hour.
- Crushed limestone transport to plant through overland covered belt conveyor of 3.8 Km length.
- Water sprinkling is done on regular and continual basis
- Simultaneously, mine operate new technique of splitter, splitter is mounted on one bracket of Hydraulic Excavator. The splitter can work by inserting the wedge into the drill hole vertically up to 2.5 m to split the drill hole to break the rocks. The hydraulic pressure moves the cylinder and thrust the wedge, hence no noise and vibration is generated at significant levels.
- Rock fragmentation generated through Breaker average sizing 0.5 meter, hence during fragmentation – loading – transportation – unloading in crusher hopper minimal dust is generated which is controlled by dust suppression system at all relevant points. Specific gravity of limestone is

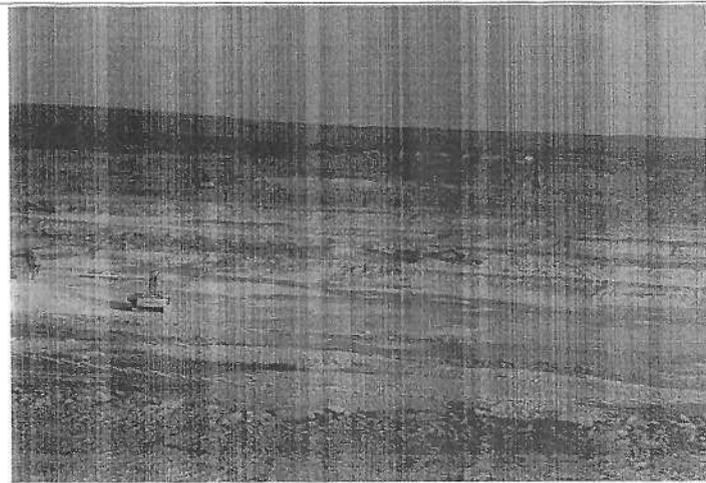
- 2.5 and as such cannot travel even beyond 500 meters considering the average size of 0.5 meter.
- The Environment Impact Assessment (EIA) study of this mining project indicated that there is no significant impact from the mining operation in the study area of 10 Km from the boundary of ML which also included Bassi Wildlife Sanctuary. The predicted maximum ground level incremental concentration for PM10 is 4.03  $\mu\text{g}/\text{m}^3$  within ML boundary at its peak production.



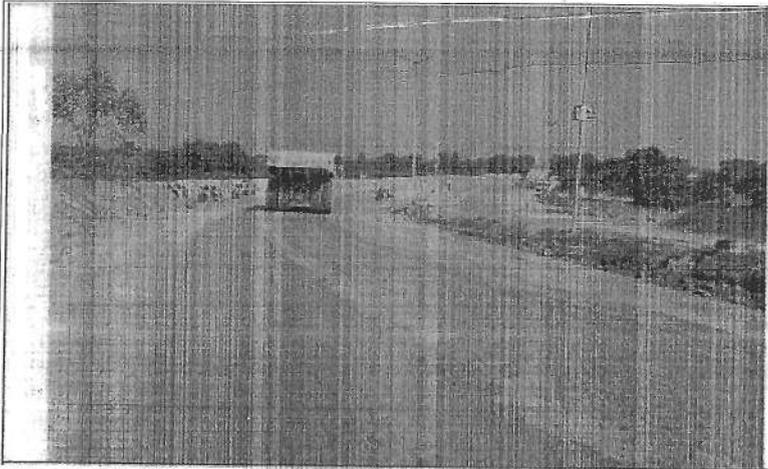
**A view of Systematic Mechanical Mining with 3 m. Bench Height at Birla  
Limestone Mine**



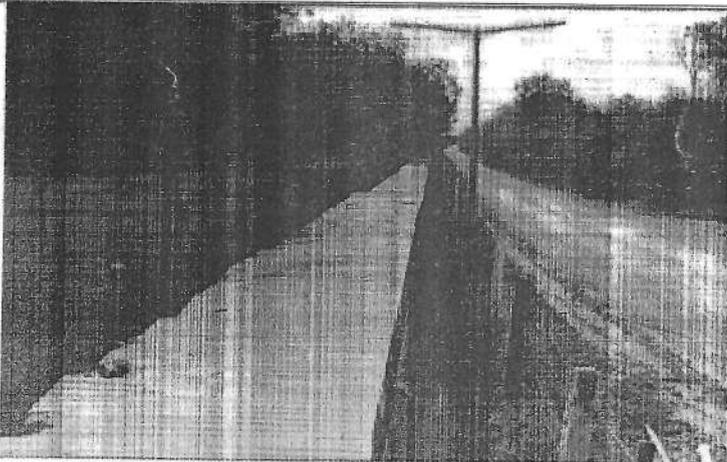
**A view of Mining Operations in Birla Limestone Mine**



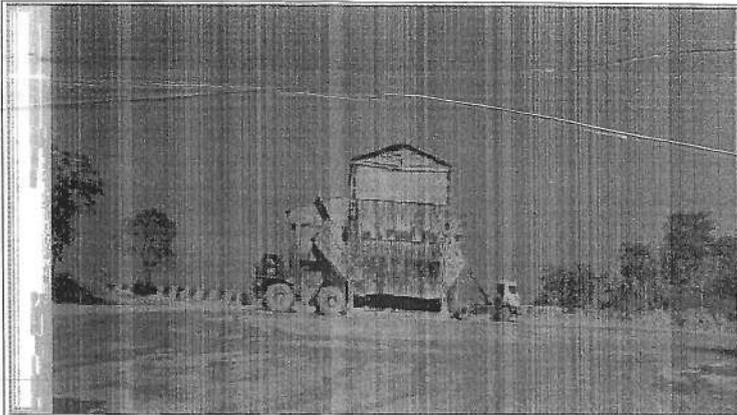
**A view of Mining Operations in Birla Limestone Mine**



**Water spraying on Haul Roads**



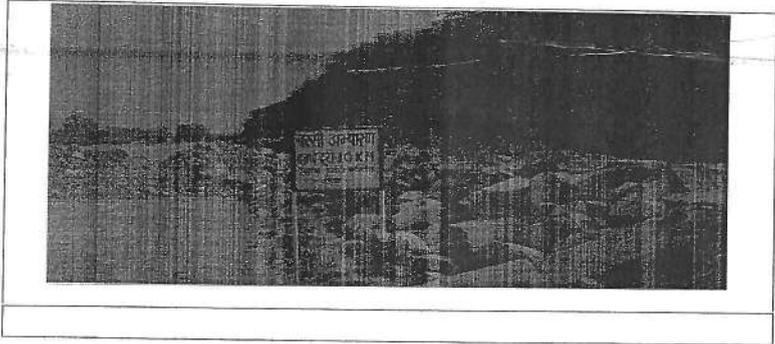
**Covered overland conveyor belt from Mines to Plant site**



**Limestone unloading at Covered Crusher Hopper**



**Committee members interacting with the Birla Limestone mine officials**



2. Sh. B.K. Yadav Prof. IIT Roorkee

Considering the past hydrogeological study conducted by the mining industry, kindly find below my observation.

**"It is clear from the documents provided by the Forest Department that declaration of ESZ of the Bassi wildlife sanctuary was carried out by following the comprehensive norms and procedures in the past. Also, the current ESZ is looking sufficient as no direct sign of environmental degradation was observed during the field visit by the committee member nominated from IIT Roorkee. Therefore, ESZ of the sanctuary need not be extended up to 10 Km without observing any impacts of mining on the sanctuary. Considering the proximity of the four-lane highway near to the Bassi, it is recommended to provide a shelterbelt (suitable tree barrier) along the roadsides for minimizing the impacts of vehicle sound on the wildlife of the sanctuary "**

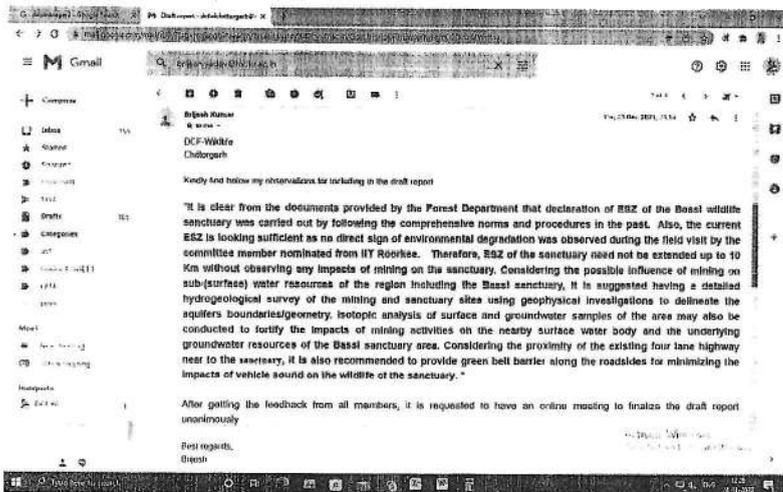
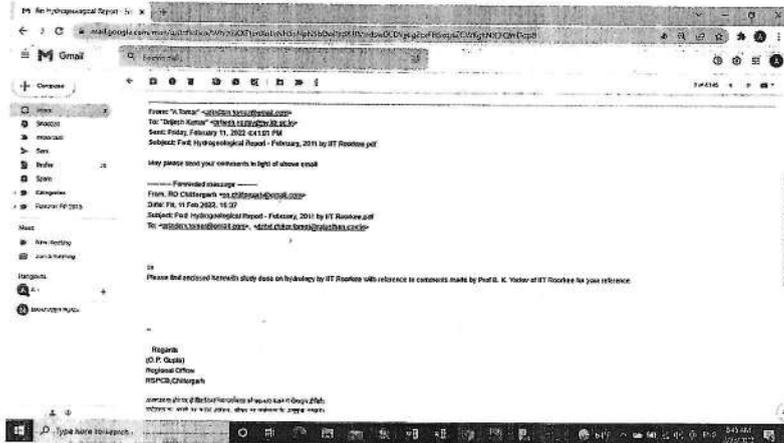
There is no further suggestion in the final conclusion circulated by your office in the draft report.

Best regards,  
Brijesh

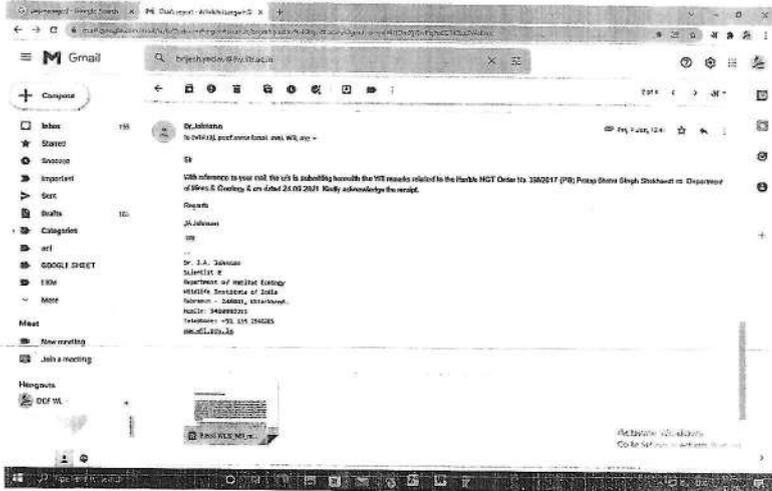
The screenshot shows a Gmail email interface. The email is titled "Re: Hydrogeological Report - February, 2011 by IIT Roorkee.pdf". The sender is "A. Kumar" and the recipient is "Brijesh". The email content includes a reference to a hydrogeological study and a recommendation regarding the ESZ of the Bassi wildlife sanctuary. The email footer contains the following information:

From: "A. Kumar" <akumar@iitr.ac.in>  
 To: "Brijesh Kumar" <brijesh@iitr.ac.in>  
 Sent: Friday, February 11, 2012 11:04 AM  
 Subject: P.W. Hydrogeological Report - February, 2011 by IIT Roorkee.pdf

May please send your comments in light of above email



### 3. Dr. Jonson Antony Scientist WII Dehradun

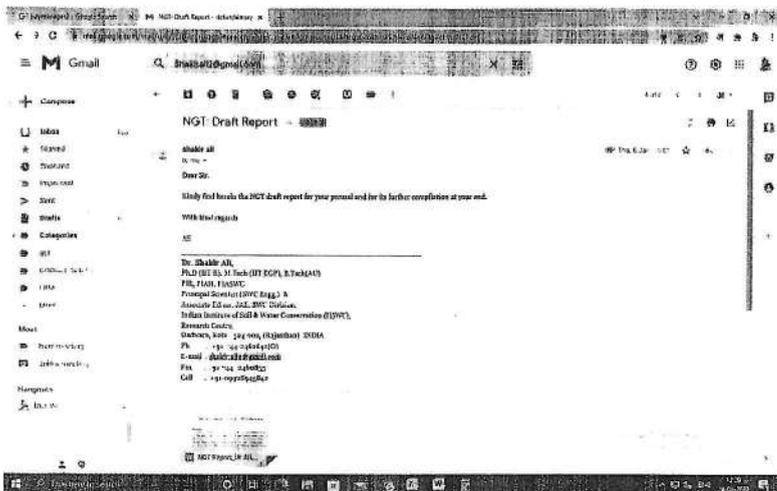
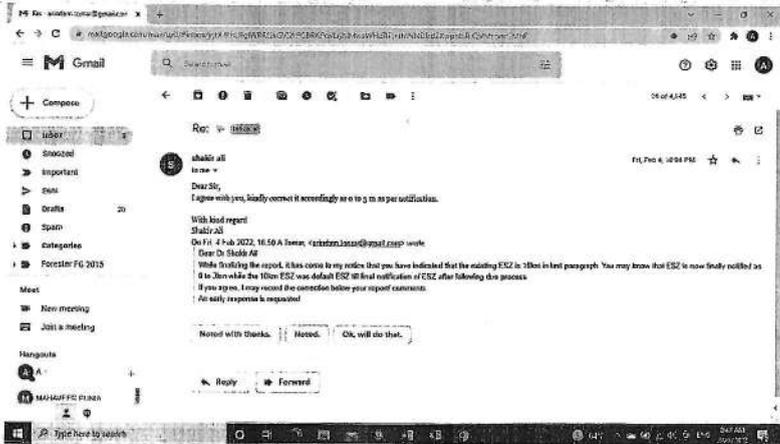


#### Remarks of Wildlife Institute of India

The Bassi Wildlife Sanctuary is home for the conservation significant wildlife species such as Leopard, Chinkara, Nilgai, Crocodile and Indian Rock Python. Among the species, Chinkara, Nilgai and Leopard are free ranging animals, often they move beyond the protected area boundaries in search of food and water. Thus, the notified ESZ around the PA should ensure minimum disturbance to the wild animals, which are freely moving around the protected area. Based on the field visit carried out in Bassi Wildlife Sanctuary and some of the mining sites around the PA, the following points are proposed in compliance with the ToR of the committee.

1. There is no legal active mines inside the notified ESZ of Bassi WLS. It was observed that the active legal mines located outside the ESZ are not doing blasting. The excavation of lime stone rock is being done through rippers and manual rock breakers. Therefore, post-breaking disturbance to wildlife due to noise pollution, ground vibrations during rock breaking and air pollution appeared to be minimal. Thus, the manual mining located beyond 1 Km from the Sanctuary boundaries apparently will not have any major negative impacts on wildlife of the Bassi WLS.
2. Based on the information from the toposheet map of Bassi WLS, it appears that the Parsoli Mine area is located less than 1 Km from the Sanctuary boundary and it needs to be verified on ground. If it falls within 1 Km from the Sanctuary boundaries, then the Hon'ble Supreme Court order dated 04.08.2006 (T.N. Godavarman Thirumupad vs. UOI in WP(C) No. 202 of 1995) and dated 21.04.2014 (Goa Foundation vs. UOI in WP(C) No. 435 of 2012) will apply in this case.

## 4. Dr. Shakir Ali Principal Scientist ICAR Kota

Report  
on

Study of Impact of Mining beyond the Boundaries of ESZ (Eco-Sensitive Zone)

## Background

Air and water pollutions from limestone mines include one or more pollutants/contaminants. Once, these pollutants enter in the atmosphere, land and water ecosystems either in the particulate matter or gaseous or ionic form, they deteriorate the land, water and air quality/micro-climate of these ecosystems. Dispersion of the water and air pollutants from the source of pollution depends on the various hydro-climatic parameters, which include wind speed and direction, runoff caused by rainfall, groundwater recharge, groundwater flow and direction etc. The pollutants from the limestone mines may or may not be injurious to water, soil, plant, human and animal life depending on these hydro-climatic parameters, and the limestone physical and chemical properties, and mining procedures.

A seven member joint constituted by the Hon'ble NGT (National Green Tribunal), comprising Chief Wildlife Warden, Rajasthan, Wildlife Institute of India, Dehradun, Indian School of Mines, Dhanbad, ICAR-Indian Institute of Soil and Water Conservation, Dehradun, IIT Roorkee, CPCB, State PCB and District Magistrate, Chittorgarh, visited mines areas of the Parsoli, Bhichor and Block-C (Jai-Surjana-Nagari) of the Birla Corporation Limited on December 5, 2021 to study the impact of mining beyond the boundaries of eco-sensitive zone (10 km radius).

Parsoli and Bichor mining areas are small limestone (Khanda Farsi) mine leases lying in the < 3 km of the ESZ. In Parsoli mining area, there are 50 mine leases covering 9.7126 ha area. Of these, 39 mine leases (7.02 ha) each mine lease having 0.18 ha area (30 × 60 m), and remaining 11 mine leases (2.6926 ha), area of each ranged from 0.1955 to 0.2987 ha. A total 27 mine leases (4.86 ha) are in the Bhichor mining area, and each mine lease covers 0.18 ha area (30 × 60 m). Limestone (Khanda Farsi) mining activities in the Parsoli and Bichor small limestone mining areas are done manually.

## Observations

Based on the field visit and observations, interaction with the farmers and stakeholders, and available reports/studies (BCLM, 2017, 2021), the recorded observations and suggestions on the impact of the Parsoli, Bhichor and Block-C (Jai-Surjana-Nagari pits) of the Birla Corporation Ltd. mines activities on water, soil and vegetation qualities are:

- Surface and groundwater qualities within the ESZ of the Bassi Wildlife Sanctuary near the Parsoli, Bhichor and Block-C (Jai-Surjana-Nagari pits) of the Birla Corporation Ltd.

mines are found to be good within the ESZ as the major groundwater and surface water quality parameters are within the desirable and/or permissible limits of drinking (IS 10500: 2012) and irrigation (IS 11624:2019) water quality. The details of the water quality sampling and analysis of the analytical results are presented in Annexure-A. Based on analysis of the analytical results of surface and groundwater quality, it is concluded that both the surface and groundwater quality within the ESZ of the Bassi Wild life Sanctuary is not affected by the mining activities of the Parsoli, Bhichor and Block-C of the Birla Corporation Ltd. mines. This mainly due to limestone is a hard crystalline and chemically resistance in nature and not contributes pollution to the surface and groundwater quality except the some suspended solid may be in surface runoff during the monsoon season only. The surface runoff generated from the mining areas in the monsoon season is usually accumulated in the mine pits in mining areas, and suspended solid get deposited in bottom of the mine pits and remains unpolluted. It not causing any contamination to the groundwater as the recharge through mine pits is usually very low in the hard rock area of the country. Both the surface and groundwater resources in the ESZ of the Bassi Wild Life Sanctuary is safe and can be used for drinking (human and animal beings) and irrigation without any negative affects/harms. The officials of the Birla Corporation Ltd. mines also reported that the surface runoff harvested during the monsoon season in the Block-C(Jai-Surjana-Nagari) of the Birla Corporation Ltd.mines is being used for green belt development through plantation in the mining area, and harvested runoff in the Block-B (Bherda) of the Birla Corporation Ltd. mine which is far away from the ESZ(10 km radius) of the Bassi Wild Life Sanctuary is also being used by the Birla Cement Plant and PHED (Public Heath Engineering Department) for drinking water supply to the Chittorgarh City. Utilization of water harvested in the mine's pits for irrigation and drinking purposes also support the good surface water quality even the mining area. The surface runoff accumulated in the mining pits of the Parsoli and Bichor mining areas are being pumped out to the adjoining agricultural fields for irrigating the rabi season agricultural crops as reported by the local people during the visit.

- Soils within the ESZ of the Bassi Wildlife Sanctuary near the Block-C (Jai-Surjana-Nagari) of the Birla Corporation Ltd. mines is moderately alkaline in nature, low in the EC, and high both the soil organic matter and carbon. Soil has medium available-nitrogen and phosphorus, and high in available potassium. It is concluded that soil quality within

the ESZ of the Bassi Wildlife Sanctuary is in general good and not affected by the mining activities of the Block-C (Jai-Surjana-Nagari) of the Birla Corporation Ltd mines.

- There are no visible injuries/harmful spots on leaves and negative impact on the vegetative growth and productivity of the agricultural and horticultural crops, and forestry plantations due to pollutant(s) from the mining activities of the Parsoli, Bhichor and Block-C (Jai-Surjana-Nagari) of the Birla Corporation Ltd. Mines. It indicated that the vegetation quality within the ESZ of the Bassi Wildlife Sanctuary is not affected by the mining activities of the Parsoli, Bhichor and Block-C (Jai-Surjana-Nagari) of the Birla Corporation Ltd. mines.

### **Suggestions/recommendations**

Keeping in view the above cited observations and facts, it is opined that:

1. An extension of ESZ upto 10 km radius from the protected boundary of the Bassi Wildlife Sanctuary is not justifiable as desired by the petitioner.
2. Justifications of the existing ESZ given by the competent authority of the Bassi Wildlife Sanctuary, Chittorgarh (Rajasthan) is acceptable as per real ground situations surrounding the Bassi Wildlife Sanctuary.
3. Existing ESZ of 10 km radius is sufficient. If it is to be revisited, the existing ESZ norm of 10 km radius can be reduced from 10 to 5 km radius as there are no significant negative impacts of the Parsoli, Bhichor and Block-C (Jai-Surjana-Nagari pits) of the Birla Corporation Limited mines activities on the soil, water and vegetation. Even the natural resources (land, water and vegetations) that are very close to these mining areas are also not significantly influenced.

### **Communication from CWLW Rajasthan:**

*Dear Dr Shakir Ali*

*While finalizing the report, it has come to my notice that you have indicated that the existing ESZ is 10km in last paragraph. You may know that ESZ is now finally notified as*

*0 to 3km while the 10km ESZ was default ESZ till final notification of ESZ after following due process.*

*If you agree, I may record the correction below your report/ comments.*

*An early response is requested*

*Response of Dr Shakir Ali:*

*Dear Sir,*

*I agree with you, kindly correct it accordingly as 0 to 3 m as per notification.*

#### **Annexure - A**

### **1. Water Quality**

#### **1.1 Water Sampling and Analysis**

To assess the impacts of the Parsoli, Bhichor and Block-C of the Birla Corporation Ltd. mines on the surface and groundwater quality, eighteen water samples (12 groundwater and 6 surface water) have been collected randomly from different locations within the eco-sensitive zone (ESZ) of the Bassi Wildlife Sanctuary, Chittorgarh, Rajasthan and also from core zone of mines (Table 1A). The collected water samples have been analyzed using the standard methods (APHA, 1995) in Central laboratory of the ICAR-Indian Institute of Soil and Water Conservation (IISWC), Research Centre, Kota, Rajasthan and the results of analysis is presented in Table 2A.

#### **1.2 Results of Analysis**

##### **1.2.1 Ground Water Quality**

Results of analyses of groundwater show that the pH ranged between 7.1 and 8.1, which indicates slightly alkaline in nature and within the acceptable limit of 6.5 to 8.5 as per IS 10500-2012. The EC (electrical conductivity) of the majority of water samples ranged from 0.41 and 1.08 mS/cm, however, some of the tube and open wells in the ESZ near the Parsoli and Bhichor mines has observed higher values (1.1-1.9 mS/cm) (Table 2A). A similar trends as EC has also observed for the TDS (total dissolved solid) which varied from 187-385mg/l in majority of water samples with the few tube and open wells recorded higher values (541-958 mg/l) than that of the than that of the acceptable limit of 500 mg/l, whoever, within the permissible limit of 2000 mg/l in absence of any alternative source of water as per IS 10500-2012. The Ca (calcium) and Mg (magnesium) in the majority of tube and open wells ranged from 44 to 73 and 12 to 28 mg/l, respectively which are within the acceptable limits of the Ca (75 mg/l) and

Mg (30 mg/l). However, in some of tube and open wells have higher Ca (84 -196 mg/l) and Mg (33 – 63 mg/l), which are also within the permissible limit of Ca (200 mg/l) and Mg (100 mg/l) in absence of any alternative source of water. The Na (sodium) and K (potassium) are ranged from 0.6 to 59, and 2.1 to 16.8 mg/l, respectively. The SAR (Sodium absorption ration) ranged between 0.01 and 1.29 (mmole/l)<sup>1/2</sup>. Earlier studies (BCLM, 2017, 2021) conducted in the ESZ (i.e., Nagri, and Gusaiyon Ka Khera villages) near the Block-C (Jai-Surjana-Nagari) of the Birla Corporation Ltd mine also reported that the both the groundwater quality are within the permissible limits for both the drinking and irrigation purposes (Table 2A).

The groundwater quality of the few of the tube and open wells that recorded higher values than that of the their desirable limits are mainly due to non-use of water for either drinking or irrigation purposes specially in some open wells, excessive use of fertilizer in agricultural fields, and their underlying geology. The ESZ of the Bassi wildlife Sanctuary and mining area of the Parsoli, Bhichor and Block-C (Jai-Surjana-Nagari) of the Birla Corporation Ltd. mines consist of limestone and there no unconfined and confined aquifer system as in case of alluvial deposits. In lime stone/hard rock area, groundwater occurs in much localized multi-aquifers and water flows through the joints, fractures, bedding and weathered zone of the lime stone.

### 1.2.2 Surface Water Quality

The analytical results of the Ruparel river near the Bhiroch mine as surface water resource shows that the pH, EC, TDS, Ca, Mg, Na, K, and SAR are observed 7.5, 0.68 mS/cm, 312 mg/l, 72 mg/l, 25 mg/l, 8.9 mg/l, and 0.23 mg/l, respectively (Table 2a), which are also within the permissible limits. The water quality of the pits of the Parsoli, Bhichor and Block-C (Jai-Surjana-Nagari) of the Birla Corporation Ltd. mines also found to be the within acceptable limits as pH, EC, TDS, Ca, Mg, Na, K, and SAR ranged from 7.5 to 7.9, 0.31 to 0.45mS/cm, 136 to 200 mg/l, 37 to 64 mg/l, 7.8 to 8.8 mg/l, 12.2 to 13.8 mg/l, 1.9 to 3.1, and 0.39 to 0.56(mmole/l)<sup>1/2</sup>, respectively.

## 2. Soil Quality

The physical and chemical properties of soils within the ESZ (Nagri, and Gusaiyon Ka Khera villages) of the Bassi Wildlife Sanctuary near the Block-C (Jai-Surjana-Nagari) of the Birla Corporation Ltd. mines are collected from the secondary sources (BCLM, 2017). However, no information is available for the ESZ near the Parsoli and Bhichor mines. Based on the particle size distributions, soil is found to be silty loam using the USDA triangle soil

textural classification criteria. The soil is moderately alkaline in nature as indicated by their pH values (7.76 -7.81) and low in the EC (0.3-0.4  $\text{dsm}^{-1}$ ) indicates non-saline soil. Soil is high in both the soil organic matter (1.19-1.22%) and carbon (0.69-0.71%). Soil has medium available-nitrogen (280-345 kg/ha) and phosphorus (20.5-20.9 kg/ha), and high in available potassium (411-481kg/ha).

### 3. Vegetations Quality

Reconnaissance survey and interactions with the farmers of the Parsoli, Bhichor and Block-C (Jai-Surjana-Nagari pits) of the Birla Corporation Ltd. mines revealed that there are no visible injuries/harmful spots on leaves and negative impact on the vegetative growth and productivity of the agricultural and horticultural crops, and forestry plantations due to pollutant(s) from the mining activities of the Parsoli, Bhichor and Block-C (Jai-Surjana-Nagari) of the Birla Corporation Ltd. Mines. It indicated that the vegetation quality within the ESZ of the Bassi Wild life Sanctuary is not affected by the mining activities of the Parsoli, Bhichor and Block-C (Jai-Surjana-Nagari) of the Birla Corporation Ltd. mines.

**Table 1a.** Locations of the groundwater and surface water sampling site within the ESZ of the Bassi wild life sanctuary and core zone of the Parsoli, Bhichor and Block-C (Jai-Surjana-Nagari) of the Birla Corporation Ltd. mines

ESZ near mines	Code of sampling	Location		Remarks
		Latitudes(N)	Longitudes(E)	
A.1	Groundwater within eco-sensitive zone			
Parsoli	PA-GW1	25°6'17"	74°54'34"	Open well (abandoned)
	PA-GW2	25°5'41"	74°53'41"	Open well(abandoned)
	PA-GW3	25°6'17"	74°54'57"	Open well
	PA-GW4	25°6'17"	74°54'57"	Tube well(450ft)
	PA-GW5	25°6'15"	74°54'36"	Tube well, School
	PA-GW6	25°6'17"	74°54'34"	Tube well, Primary School
	PA-GW7	25°6'15"	74°54'36"	Tube well, water supply, Fatehpur
	PA-GW8	25°6'13"	74°54'42"	Tube well, Mazar site, Fatehpur
Bhichor	BH-GW1	25°5'48"	74°57'5"	Tube well, water tank, Bhichor
	BH-GW2	25°6'2"	74°56'51"	Tube well, farmer, Bhichor
	BH-GW3	25°6'2"	74°56'51"	Open well, farmer, Bhichor

	BH-GW4	25°6'18"	74°56'44"	Tube well, Forest office, Bhichor
Block-C, Birla mine	BI-GW7	-	-	Tube well, Nagri villages
	BI-GW7	-	-	Tube well, Gusaiyon Ka Khera village
A.2	Surface water within ESZ			
Bhichor	BH-SW1	25°5'48"	74°57'5"	River Ruparel
B.	Surface water within core zone of the mines			
Parsoli	PA-PT1	24°52'50"	74°37'12"	Mine pit
	PA-PT2	24°52'49.7"	74°37'11.6"	Mine pit
Bhichor	BH-PT1	25°5'46"	74°56'59"	Mine pit
	BH-PT2	25°5'46"	74°57'1"	Mine pit
Block-C, Birla mine	BI-PT1	24°58'17.6"	74°41'45"	Mine pit

**Table 2a.** Results of analytical analysis of collected water sampling site within the ESZ of the Bassi wild life sanctuary and mining area of the Parsoli, Bhichor and Block-C (Jai-Surjana-Nagari) of the Birla Corporation Ltd. mines

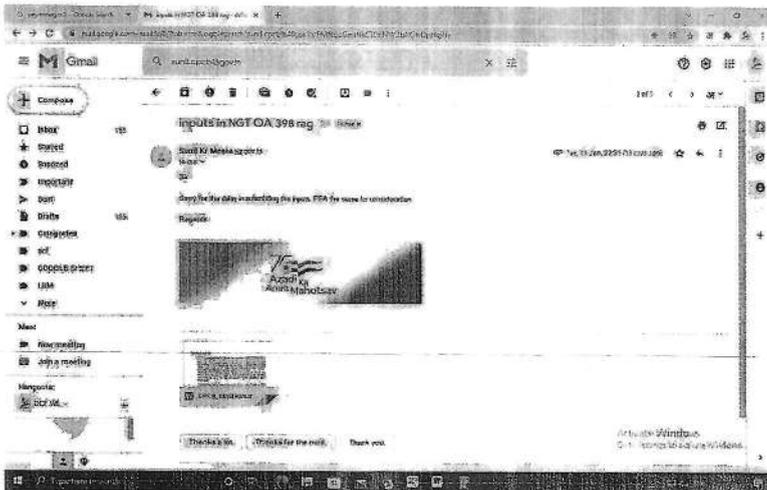
Code of sampling	Major water quality parameters							
	pH (-)	EC (mScm <sup>-1</sup> )	TDS (mg l <sup>-1</sup> )	Ca (mg l <sup>-1</sup> )	Mg (mg l <sup>-1</sup> )	Na (mg l <sup>-1</sup> )	K (mg l <sup>-1</sup> )	SAR (mg l <sup>-1</sup> )
A.	Groundwater							
PA-GW1	7.1	1.40	686	177	53	0.7	2.5	0.01
PA-GW2	7.2	1.90	806	196	61	3.5	2.6	0.06
PA-GW3	7.1	1.70	727	173	63	0.6	5	0.01
PA-GW4	7.2	1.70	768	194	54	3.2	2.7	0.05
PA-GW5	7.2	1.10	541	169	33	4.9	11	0.09
PA-GW6	8.1	0.64	297	84	18	9.6	2.1	0.25
PA-GW7	7.6	0.41	187	44	12	12	2.6	0.41
PA-GW8	7.5	1.08	507	155	34	5.9	3.7	0.11
BH-GW1	6.8	0.64	289	56	28	9.9	10	0.27
BH-GW2	7.2	0.64	281	46	25	7.5	10	0.22
BH-GW3	7.1	0.64	293	73	23	10.6	11	0.28
BH-GW4	7.3	0.85	385	73	36	9.9	16.8	0.24
BI-GW3	7.9	-	958	157	37	41	11	0.76

BI-GW4	7.9	-	579	113	27	59	7	1.29
B.	Surface water							
BH-SW1	7.5	0.68	312	72	25	8.9	6.5	0.23
PA-PT1	7.5	0.44	200	60	9.3	12.2	3.1	0.39
PA-PT2	7.5	0.45	203	64	6.7	12.3	3.0	0.39
BH-PT1	7.9	0.37	163	39	8.8	13.1	3.2	0.49
BH-PT2	7.8	0.31	136	37	6.4	14	2.6	0.56
BI-PT1	7.7	0.35	139	38	7.8	13.8	1.9	0.53

### References

- APHA (1995). Standard methods for the examination of water and wastewater, 19<sup>th</sup> Edition, American Public Health Association, Washington, pp 1-467
- BCLM (Birla Cement Limestone Mine) (2017). Final Environmental Impact Assessment Report & Environmental Management Plan. Birla Cement Limestone Mine, Chittorgarh, Rajasthan.
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- IS 11624:2019 (2019). Quality of Irrigation Water -Guidelines (First Revision). Bureau of Indian Standard (BIS). New Delhi.
- IS 10500:2012 (2012). Drinking Water-Specification (Second Revision). Bureau of Indian Standard (BIS). New Delhi.

## 5. Sh. Sunil Kumar Meena Scientist CPCB Bhopal



## Specific observations

1. The EIA study conducted for the expansion of the Birla Cement Limestone mines from 2.824 MTPA to 4.324 MTPA revealed that during post-monsoon (October-December 2014) the wind speed varied from 3 to 7.1KM/hr and prominent direction was NORTH. Similarly, the CBRI report (Sept 2014) stated that the wind speed varied from 7.2-18.1 km/hr with prominent wind direction NORTH-NORTHEAST (NNE) during December 2013 to February 2014.

The Bassi wildlife Sanctuary has 02 limestone mining areas viz. Parsoli and Bichor. Both the area is situated in North & North-East of the sanctuary accommodating 50 & 27 small size limestone quarries (30x60m<sup>2</sup> each) respectively.

The ESZ notification dt. 8.4.2021 has provided a buffer of about 2.4KMS in North from Parsoli mines, similarly to minimize the impact of mine pollution from Bichor mine area a buffer of 1.16kms also provided towards North-East. Also the NH 76 was considered as ECZ boundary in North -East.

Due to the heavy density of limestone i.e. 2.5g/cm<sup>3</sup>, the mined particle of limestone can travel a distance of about 300-500m in prevailing meteorological conditions as stipulated in above study.

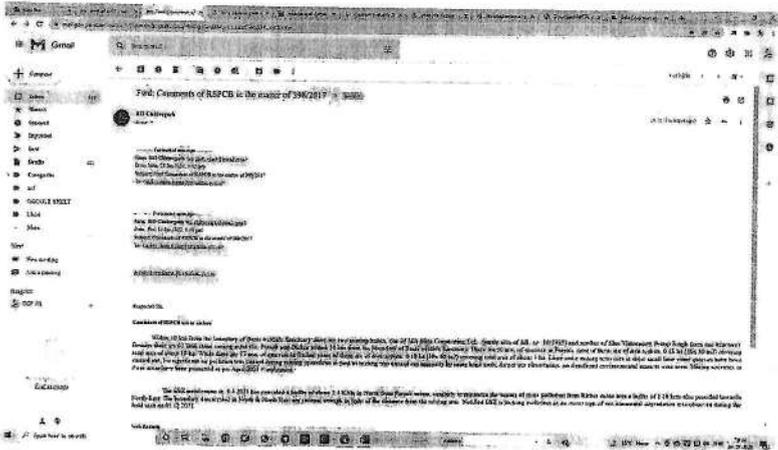
The boundary demarcated in North & North East are rational enough in light of the distance from the mining area, however, thick plantation around the mine area and metaled haul road in the mine area may further minimize the impact (if any) to Bassi wildlife.

2. The ESZ boundary in North-WEST of the Sanctuary is going parallel to NH 76 (Chittorgarh-Kota) that minimizes the width of buffer zone. To minimize the impact of vehicle movement and noise due to honking, a thick green belt (as noise attenuator) can be developed.

**6. Remarks of Colector Chittorgarh expressed during online meeting**

In Compliance of Hon'ble NGT order dated 8-3-19 we have stopped all mining activities around 10 km radius of Bassi WLS. During the field visit the committee members had interactions with local stakeholders at the respective sites and also witnessed the unemployment of local peoples due to closure of these mines. In Birla case the mining operations are carried out as per approved mining plan. During the last 2 years, more than 40,000 plants have been planted. As per final notification of Bassi ESZ has no impact on Bassi WLS as well as community of local areas because notification process completely followed as per provisions of EPA, 1986. By considering local people employment and development project in Chittorgarh, the notified ESZ boundary is sufficient and no need revise it.

## 7. Sh. O.P. Gupta RO Chittorgarh (SPCB)



Within 10 km from the boundary of Bassi wildlife Sanctuary there are two mining leases, one of M/s Birla Corporation Ltd. (partly area of ML no. 10/1983) and another of Shri Vishwanath Pratap Singh (area one hectare). Besides there are 02 lime stone mining areas viz. Parsoli and Bichor within 10 km from the boundary of Bassi wildlife Sanctuary. There are 50 nos. of quarries in Parsoli, most of them are of area approx. 0.18 ha (30x 60 m<sup>2</sup>) covering total area of about 10 ha. While there are 27 nos. of quarries in Bichor, most of them are of area approx. 0.18 ha (30x 60 m<sup>2</sup>) covering total area of about 4 ha. Lime stone mining activities in these small lime stone quarries have been carried out. No significant air pollution was caused during mining operations in past as mining was carried out manually by using hand tools. As per our observation, no significant environmental impacts were seen. Mining activities in these areas have been permitted as per April 2021 Notification.

The ESZ notification dt. 8.4.2021 has provided a buffer of about 2.4 KMs in North from Parsoli mines, similarly to minimize the impact of mine pollution from Bichor mine area a buffer of 1.16 kms also provided towards North-East. The boundary demarcated in North & North East are rational enough in light of the distance from the mining area. Notified ESZ is looking sufficient as no direct sign of environmental degradation was observed during the field visit on 05.12.2021.

**8. Remarks of the Sh Arindam Tomar Chief Wildlife Warden Rajasthan**

1- Bassi was declared as wildlife sanctuary vide Government of Rajasthan Notification No. F-11/41/Raj./8186 dated 29.8.88 for the purpose of protection, propagation and development of wild life & its environment.

2- Justification of 0 km to 3 Km distance of ESZ is that the minimum extent of Eco-Sensitive Zone (zero) is at places where the National Highway and PWD road are marked as ESZ boundary and maximum distance of 3 km is at places where contiguous forest land of territorial division Chittorgarh exists. 2 km distance from the boundary of Bassi sanctuary in M.P has been included in ESZ after taking consent of DFO Neemuch.

3- It may be noted that no mining is present within 1 km of Bassi sanctuary in compliance with Hon'ble Supreme Court order in Case No. 435/2012 Goa Foundation vs Union of India & Ors.

4- It was noted that declaration of ESZ of Bassi wildlife sanctuary was carried out after following the complete process including publishing of draft notification, seeking objections-online, their resolution and the final notification.

5- In my considered view, the replies to the queries raised are as under

Question: Should the ESZ be extended up to 10 km as desired by the petitioner?

View: The ESZ need not be extended upto 10 Km

Question: Is the justification provided for declaration of the present ESZ invalid?

View: The current ESZ is sufficient and has been notified after following the due process excluding any bias, It is administratively feasible also. The justifications provided for declaration of the present ESZ are valid.

Question: What should be the ideal extent of ESZ if it is to be revisited?

View: Not applicable in view of preceding statements.

Question: Any other comments

View: As per the concepts of landuse planning, the area of Bassi Sanctuary has been set apart for conservation of wildlife. As per the directions of Hon'ble Supreme Court, an Eco Sensitive Zone has been delineated around the Sanctuary to cushion the impacts of human activities on the Sanctuary. Beyond these limits, human activities take precedence over the objective of wildlife / biodiversity conservation.

Excessive restrictions on human activities beyond the limits of Protected Areas lead to animosity towards Forest Department as well as wildlife which actually is inimical to wildlife / biodiversity conservation.

## ANNEXURE 7

MAP SHOWING OF WILD NINEKILL AREA & CLASSED AREA IN 10 KM RADIUS FROM  
 BASBI WILD LIFE SANCTUARY DISTRICT -KOTTAYAM.



KEY:  
 WILD NINEKILL AREA  
 CLASSIFIED AREA  
 ROAD  
 RIVER  
 RAILWAY LINE

10 KM