

COMMITTEE ON PETITIONS

(FIFTEENTH LOK SABHA)

TWENTY NINTH REPORT



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**LOK SABHA SECRETARIAT
NEW DELHI**

August, 2013 / Shravana, 1935 (Saka)

COMMITTEE ON PETITIONS

(FIFTEENTH LOK SABHA)

TWENTY NINTH REPORT

MINISTRY OF ENVIRONMENT & FORESTS

MINISTRY OF DRINKING WATER & SANITATION

MINISTRY OF WATER RESOURCES

MINISTRY OF POWER

(Presented to Lok Sabha on 20.8.2013)



**LOK SABHA SECRETARIAT
NEW DELHI**

August, 2013 / Shravana, 1935 (Saka)

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COMPOSITION OF THE COMMITTEE ON PETITIONS
(2012-13)

Shri Anant Gangaram Geete - Chairman

Members

2. **Shri Sai Prathap Annayyagari**
3. **Shri Khiladi Lal Bairwa**
4. **Shri Arvind Kumar Chaudhary**
5. **Shri Syed Shahnawaz Hussain**
6. **Shri G.V.Harsha Kumar**
7. **Shri Bhartruhari Mahtab**
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11. **Prof.(Dr.) Ram Shankar**
12. **Shri Rakesh Singh**
13. **Shri Yashveer Singh**
14. **Shri Adagooru Vishwanath**
15. **Vacant**

SECRETARIAT

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2. **Smt. Sudesh Luthra - Joint Secretary**
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4. **Md. Aftab Alam - Deputy Secretary**
5. **Smt. Jagriti Tewatia - Under Secretary**
6. **Shri Harish Sethi - Senior Executive Assistant**

TWENTY NINTH REPORT OF THE COMMITTEE ON PETITIONS

(FIFTEENTH LOK SABHA)

INTRODUCTION

I, the Chairman, Committee on Petitions, having been authorised by the Committee to present the Report on their behalf, present this Twenty-ninth Report (Fifteenth Lok Sabha) of the Committee to the House on the representation of Shri Bhagwan Singh Kushwah, Village – Chandpur, Post – Sarani Kheda, Distt. Dholpur, Rajasthan countersigned by Shri Khiladi Lal Bairwa, M.P., Lok Sabha regarding: Provision of Electricity, Drinking Water and Irrigation Facilities to the people living across Chambal region.

2. The Committee considered and adopted the draft Twenty-ninth Report at their sitting held on 15 July, 2013.

3. The observations / recommendations of the Committee on the above matters have been included in the Report.

NEW DELHI ;

15 July, 2013
25 Asadha, 1935 (Saka)

ANANT GANGARAM GEETE
Chairman,
Committee on Petitions

REPORT

REPRESENTATION OF SHRI BHAGWAN SINGH KUSHWAH FORWARDED BY SHRI KHILADI LAL BAIRWA, M.P. (LOK SABHA) REGARDING – PROVISION OF ELECTRICITY, DRINKING WATER AND IRRIGATION FACILITIES TO THE PEOPLE LIVING ACROSS CHAMBAL REGION

.....

Shri Khiladi Lal Bairwa, MP forwarded a representation on 22 March, 2010 signed by Shri Bhagwan Singh Kushwah, a resident of Village Chandpur, Post – Surani Kheda, Distt. Dholpur regarding – Provision of electricity, drinking water and irrigation facilities to the people living across the Chambal region.

2 Shri Kushwah in his representation inter-alia stated that Chambal river which connects the Dholpur, Karauli, Sawai Madhopur and Kota Districts of Rajasthan is a historical river which flows between the States of Rajasthan and Madhya Pradesh. This river is the only source of water for the aforesaid four districts of Rajasthan and Madhya Pradesh. The Chambal is a ravine area with dense forests. The life of the people residing in this area is very difficult. The people residing in this area are very poor and have to face dacoity and loot intermittently. Arable land is negligible due to rocky terrain. The condition of the people living in this area is pathetic. The Chambal river is full of water but there is scarcity of drinking water in the Chambal area and also there is no proper irrigation facility available for their small agricultural land holdings. On the one hand they have to face dacoits and wild animals and on the other these people are deprived of all the basic amenities owing to which the residents of the area are forced to lead a miserable life. The petitioner added that there is no electricity in these villages and the people living there are also facing indifferent attitude of the Government employees as well as of officials of the Forest

Department. No help is forthcoming from any quarter so that they can lead normal life. Apart from this, the people residing on the banks of the river Chambal are not permitted to take sand (Bajri) which are available in abundance for their construction work. The petitioner has further added that whenever the Government decides to formulate any scheme for their upliftment, the officials of the Ministry of Environment & Forests and other environmentalists raise objections and do not show any consideration for the plight of people residing in these areas and therefore, they are forced to live a miserable life. The following two projects formulated by the Rajasthan Government for people living adjoining Chambal region have not been approved till date by the National Wild Life Department :-

- (i) Diversion of 3 hectare forest land from National Chambal Ghadiyal Century for Dholpur Lift Irrigation Project (Irrigation Department) ; and
- (ii) National Chambal Development Project and four Hydropower Projects (Rahu Ka Gaon, Gujjapura, Jaitpura and Barsala – Rajasthan State Power Distribution Corporation Ltd.)

3 The petitioner, therefore, requested that the projects related to providing basic amenities such as electricity, drinking water and irrigation, etc. to the people living across Chambal region should be expeditiously launched to ameliorate the long drawn suffering of the people of the area and to bring them in the mainstream. They may also be allowed to use the sand of Chambal river for the purpose of their construction needs.

4 The Committee on Petitions took up the representation for examination under Direction 95 of the Directions by the Speaker. Accordingly, the representation was forwarded to the Ministries of Environment & Forests, Rural Development

(Department of Drinking Water Supply), Water Resources and Power on 12 April, 2010 for furnishing their comments on the points raised therein.

COMMENTS OF THE MINISTRY OF ENVIRONMENT & FORESTS

5 The Ministry of Environment & Forests giving brief account on the issue raised in the representation furnished the following comments:-

”

- (i) There is underground water (Tube Well and Wells) for drinking water apart from Chambal River. Apart from this, there are local ponds available for irrigation purpose.
- (ii) The adjoining areas of Chambal are forestry land. The people living in and around such areas (forestry hilly areas) have also adapted themselves to the geographic condition of the area. People in these areas are dependent on cattle farming and agriculture.
- (iii) A distance of 1 km from the Chambal River has been declared as National Chambal Ghariyal Sanctuary under the Wildlife (Protection) Act, 1972, wherein endangered species like Ghariyal, Gangetic Dolphin, Fresh Water Turtle and birds are found. To protect the biodiversity of the area, it is required to maintain the ecological balance of the Chambal River. Any activities hampering the habitats of the Sanctuary area is prohibited. Any irrigation and drinking water projects to be undertaken within the sanctuary area can be done only after the recommendation of the Standing Committee of National Board for Wildlife (NBWL) and approval of the Hon'ble Supreme Court.
- (iv) As per the Section 29 of the Wildlife (Protection) Act, 1972, any destruction of the wildlife habitat and its removal for commercial purpose from wildlife sanctuary is prohibited. In addition, the Hon'ble Supreme Court vide their order dated 12.12.96 has prohibited the mining in the forest areas. Further vide order dated 14.2.2000 Hon'ble Supreme Court has banned removal of dead, dying, diseased, wind fallen trees, grasses etc from National Parks and Wildlife sanctuaries. Removal of sand from National Ghariyal Sanctuary has been prohibited by the Hon'ble Supreme Court as sand is required for nesting of the Ghariyals.
- (v) As per the provision of the Section 19-26 of the Act, settlement of the rights in Wildlife Sanctuaries by the collector has been completed. The local people can utilize the rights conferred on them under the Act. State Government provides compensation as per the prescribed rates to the victims of cattle lift, human injury including death caused by wild animals.

- (vi) There is no obstacle by the Forest Department for any developmental activities outside the Wildlife Sanctuaries and forest area. With respect to the developmental projects within Wildlife Sanctuary area, recommendation/approval as mentioned in para.4 above, is required. Similarly for any developmental projects in forest areas approval of Central Government under Forest Conservation Act is required.
- (vii) Illegal removal of sand is prohibited. Even after this, if sand is taken illegally, action is taken by the department to stop such activity.
- (viii) The proposal namely Dholpur Lift Irrigation Projects and four Hydro Power Projects (Rahu Ka Gaon, Gujjapura, Jaitpura & Barsala) were considered during the Standing Committee of NBWL meeting held on 12.4.2010 wherein it was decided to undertake a study for one year by Wildlife Institute of India, Bombay Natural History Society and World Wide Fund for India. A final decision would be taken after the receipt of the reports of the study. After the recommendation of Standing Committee of NBWL, approval of Hon'ble Supreme Court will be sought and thereafter the projects will be implemented.
- (ix) Recommendation of Standing Committee of NBWL and approval of Hon'ble Supreme Court is being sought for the projects mentioned above. It would be pertinent to mention here that the following two drinking water projects in Chambal River have been recommended by the Standing Committee of NBWL as well as Hon'ble Supreme Court :

- a. Chambal-Dholpur-Bharatpur Drinking Water Project
- b. Chambal-Sawai Madhopur-Nandoti Drinking Water Project

6 Spelling out their stand in the matter, the Ministry of Rural Development (Department of Drinking Water Supply) stated as follows:-

"The water is a State subject and State Governments are responsible to provide drinking water to the rural areas. To supplement the efforts of the States, technical and financial assistance is provided to the States through the centrally sponsored scheme, National Rural Drinking Water Programme (NRDWP) (erstwhile Accelerated Rural Water Supply Programme (ARSWP)). Under this programme, the State Governments are competent to plan, sanction and implement rural water supply schemes from the funds provided under NRDWP. As such no projects are approved at the central level. It is for the State Governments to approve the rural water supply schemes as per the NRDWP guidelines."

7 As regards the Budgetary Provisions under NRDWP to the Government of Rajasthan and Madhya Pradesh during the last five years, the Ministry of Rural Development (Department of DWS) have furnished the following details :-

Rajasthan

(Rupees in lakh)

YEAR	ALLOCATION	RELEASE	UTILIZATION
2005-06	48,614.72	49,135.34	35,499.63
2006-07	41,489.68	34,466.30	51,477.91
2007-08	60,672.00	60,672.00	61,966.80
2008-09	97,013	97,182.66	96,803.66
2009-10	1,03,646	1,01,216.00	33,241.09

Madhya Pradesh

(Rupees in lakh)

YEAR	ALLOCATION	RELEASE	UTILIZATION
2005-06	15,101.00	15,039.88	15,483.73
2006-07	18,797.00	19,733.40	16,798.24
2007-08	25,162.00	25,162.00	26,755.60
2008-09	37,047.00	38,047.00	36,861.34
2009-10	36,766.00	37,966.00	21,014.20

8 As regards the Irrigation Projects in the area, the Ministry of Water Resources offered their comments as follows:-

"Both the projects mentioned in the Petition namely Dholpur Lift Irrigation Project and 4 Hydropower Projects in Rahu Ka Gaon, Gujjapura, Jetpura and Barsala seems to not have been received in Central Water Commission for appraisal."

9 On the issue of providing electricity in the Chambal area, the Ministry of Power furnished the following comments:-

"Electricity being a concurrent subject, supply and distribution of electricity in a State is the responsibility of the State Government / State Power Utility concerned which decides the priorities of power supply to various areas within the State. Government of India supplements the efforts of the State Governments by setting up power plants and bulk transmission systems through Central Public Sector Undertakings in the Central Sector for the benefit of beneficiary States/UTs. Power from Central Generating Stations allocated to states is utilized by the State Governments/Power Utilities for supply to various areas/categories of consumers in the State. At present, Rajasthan has been allocated 2080 MW to 2120 MW and Madhya Pradesh has been allocated 2273 MW to 2294 MW power from the Central Generating Stations. Ministry of Power does not make direct allocation of power to any specific area. The supply of power to the respective portions of Chambal area comes under the purview of State Governments / Power Utilities of Rajasthan and Madhya Pradesh."

10 After perusal of the comments furnished by the concerned Ministries, the Committee took oral evidence of the representatives of the Ministries of Environment & Forests, Rural Development (Department of Drinking Water Supply), Water Resources and Power on 3 November, 2010 and alongwith the concerned Officials of the State Governments of Rajasthan and Madhya Pradesh on 15 April, 2011 and 21 June, 2012.

Drinking Water Projects

11 While giving the brief background of the different Drinking Water Projects initiated by the State Government of Rajasthan, the Ministry of Environment & Forests vide their written reply had submitted as follows :-

"The Chambal-Dholpur-Bharatpur Drinking Water Project was recommended by the Standing Committee of the Indian Board for Wildlife (IBWL) in its meeting held on 8th November 2002. The Chambal-Sawai Madhopur-Nandoti Drinking Water Project was recommended by the Standing Committee of NBWL in its meeting held on 8th June 2006. As informed by the PCCF and Chief Wildlife Warden on 07.07.2010, approval of Hon'ble Supreme Court for both the projects has been obtained. Further action is to be taken by the Government of Rajasthan for implementation of the projects."

12 The Committee when enquired about the reasons which caused delay of 8 years in seeking approval of Supreme Court in case of Chambal-Dholpur-Bharatpur Drinking Water Project and that of 4 years in case of Chambal-Sawai Madhopur-Nandoti Drinking Water Project which were recommended by IBWL on 8 November, 2002 and NBWL on 8 June 2006 respectively, the Ministry of Environment & Forests clarified in their written reply as follows :-

"The role of Ministry of Environment and Forests is limited to the extent of placing the proposals before the Standing Committee of National Board for Wildlife (NBWL), and thereafter communicate the recommendation of the Standing Committee to the concerned State Government(s). Thereafter, the State Government(s) concerned have to seek approval of the Hon'ble Supreme Court for diversion of the forest land of National Parks and Sanctuaries for the said project and implement the projects as per time schedule and fund availability."

13 As regards the details of approval given by Hon'ble Supreme Court in respect of both these projects, the Ministry of Environment & Forests furnished in their written reply as follows:-

"As informed by the State Government of Rajasthan, approval of Hon'ble Supreme Court with respect to the Chambal-Dholpur-Bharatpur drinking water project was obtained on 15th April 2005 and implementation of the

project is in progress. However, with respect to the Chambal-Sawai Madhopur-Nandoti drinking water, approval of Hon'ble Supreme Court was obtained on 17th October 2008."

14 On being asked by the Committee about the reasons for taking 6-7 years of time to give forests and environment clearance, the Ministry of Rural Development (Department of Drinking Water & Sanitation) furnished in a written reply as under :-

"In view of the notification of the Gharial sanctuary in the Chambal region, it takes about 6-7 years for forest and environment clearances to be obtained for water supply projects.....".

15 On the same point the Ministry of Environment & Forests stated in a written reply as under :-

"As against the submission of the Ministry of Rural Development (Deptt. of Drinking Water & Sanitation) majority of the proposals seeking diversion of forest land, including those located in the protected areas, are disposed off, within a period much lower than 6-7 years, as has been stated by them.

As per the provisions of the Forest (Conservation) Rules, 2003, the procedure to obtain prior approval of the Central Government under the Forest (Conservation) Act, 1980, is as below :-

- (i) Every user agency, who want to use forest land for non-forest purpose, after examining all feasible alternates, prepares the proposal in an appropriate format, prescribed in the Forest (Conservation) Rules, 2003 and submits to the concerned nodal officer authorized in this behalf by the State Government along-with requisite information and documents complete in all respect well in advance of taking any non-forest activity on the forest land.
- (ii) The proposals received from the user agency are examined in the State Government at minimum four levels, covering all levels of hierarchy in the Forest Department from Divisional Forest Officer to the State Government.
- (iii) The State Government, after being satisfied that the proposal requires prior approval under the Forests conservation Act, sends the proposals along with its specific comments and justification for diversion of forest land, to the Central Government. The proposal involving clearing naturally grown trees in forest land or portion thereof for the purpose of using it for reforestation are sent in the form of Working Plan or Management Plan.

- (iv) The proposals, involving forest land of more than forty hectare are sent by the State Government to the Secretary to the Government of India, Ministry of Environment & Forests, with a copy of the proposal (with complete enclosures) to the concerned Regional Office of the Ministry of Environment & Forests located at Chandigarh, Lucknow, Bhopal, Bangalore, Bhubaneswar and Shillong. Similarly, the proposals involving forest land up to forty hectares in each case and those involving clearing of naturally grown trees in forest land or portion thereof are sent to the concerned Regional Office of the Ministry of Environment & Forests.
- (v) The concerned Regional Office of the Ministry of Environment & Forests inspects the forests land proposed for diversion in case a proposal involves forest land of more than 100 hectare.
- (vi) Every proposal involving more than 40 ha. forest land, along with site inspection report, wherever required, are referred by the Central Government to the Forest Advisory Committee consisting of four official members and three non-official members selected from among eminent experts in forestry and allied disciplines.
- (vii) The Forest Advisory Committee having due regard to all or any of the following matters tenders its advise on the proposals referred to it:
 - (a) Whether the forest land proposed to be used for non-forest purpose forms part of a nature reserve, national park, wildlife sanctuary, biosphere reserve or forms part of the habitat of any endangered or threatened species of flora and fauna or of an area lying in severely eroded catchment;
 - (b) Whether the use of any forest land is for agriculture purpose or for the rehabilitation of persons displaced from their residence by reason of any river alley or hydro-electric project;
 - (c) Whether the State Government or the other authority has certified that it has considered all other alternatives and that no other alternatives in the circumstances are feasible and that the required area is the minimum needed for the purpose; and
 - (d) Whether the State Government or the other authority undertakes to provide at its cost for the acquisition of land of an equivalent area and afforestation thereof.
- (viii) The Central Government, after considering the advice of the Forest Advisory Committee and after such further enquiry as it may consider necessary, grant approval to the proposal with appropriate mitigative measures or reject the same.

As per the orders of the hon'ble Supreme Court of India dated 13.11.2000, approval under the Forest (Conservation) Act, 1980 for diversion of forest land in protected areas viz. National Parks and Wildlife Sanctuaries can be issued only after the approval of the Standing Committee of the National Board for Wildlife (NBWL) and the hon'ble Supreme Court. The user agency therefore, needs to take further appropriate measures to obtain prior approval of the Standing Committee of the NBWL and the hon'ble Supreme Court.

Major cause of delay to accord approval under the Forest (Conservation) Act, 1980 is receipt of incomplete proposals from the user agencies. A substantial proportion of the proposals seeking diversion of forest land for non-forest purposes does not contain bare minimum essential details / documents like Survey of India Toposheet, in original, in 1:50,000 scale, indicating location of the forest area proposed to be diverted along with the location of protected area, if any, located within 10 km distance from boundary of the forest area proposed to be diverted. In the absence of these documents, duly prescribed in the Forest (Conservation) Rules, 2003, the Ministry of Environment & Forests can not take decision on diversion of forest land. A substantial time is therefore, lost in procuring these documents from the State Government / User Agency.

Similarly, delay in obtaining the permission, by the user agency, from the Standing Committee of the NBWL and the Hon'ble Supreme Court further adds to the delay in grant of approval under the Forest (Conservation) Act, 1980 for diversion of forestland in protected areas."

16 The Ministry of Environment & Forests further furnished in a written reply as under :-

"For taking up any non-forestry activities within National Parks and Sanctuaries, there is a laid down procedure under the Wild Life (Protection) Act, 1972. The procedure involves recommendation of the State Board for Wildlife and Standing Committee of National Board for Wildlife, which sometimes involves site inspection also. Approval of Hon'ble Supreme Court is required thereafter. These processes usually take time."

17 On being specifically asked by the Committee about the conditions laid by the Ministry for giving Stage-I approval to Chambal-Dholpur-Bharatpur Water Supply Project alongwith the status of the Project, the Ministry of Environment & Forests furnished in a written reply as follows:-

"The Ministry of Environment and Forests has granted Stage-I i.e. *in-principle* approval to diversion of 0.585 ha of forest land for the above project on 11-10-2011. Salient conditions of the in-principle approval are as under:

- a. The User Agency shall deposit amount required for plantation of blank area around the proposed site in addition to 100 plants and five year maintenance thereof.
- b. The User Agency shall pay Net Present Value of the diverted forest land in accordance with the orders of Hon'ble Supreme Court.
- c. The muck generated shall be disposed of properly.
- d. Digital map along with digital boundaries in form of shape file shall be submitted.
- e. There shall be minimum felling of trees.
- f. Use of water drawn shall be limited to drinking and shall not be under any other use especially irrigation.
- g. Water shall be supplied from the project for the requirement of Keoladev National Park.
- h. Five percent of the project cost shall be used through a trust formed for the purpose for improvement of aquatic wildlife habitat of the Chambal river in the three States of Rajsthan, Madhya Pradesh and Uttar Pradesh. A 10 year integrated plan shall be prepared with the help of Wildlife Institute of India and shall be approved by the Ministry of Environment and Forest.
- i. Water drawl from the Chambal will be linked with availability and minimum level shall always be maintained.
- j. The Project authorities shall ensure supply 310 MCFT water from June to October till 2010 and 62.5 MCFT thereafter to Keoladev National park, without any cost to the Rajsthan Forest Department.

The compliance of the conditions of stage I clearance has to be submitted by the State Govt. and the Ministry of Environment and Forests will consider the grant of final clearance based on the compliance report. The Ministry of Environment and Forest has not received the compliance report in respect of this proposal. The project is proposed to be executed by the State Govt. of Rajasthan. Details about its execution, timelines and number of villages likely to benefit by the project is to be provided by the State Govt. of Rajasthan."

18 When the Committee desired to know about the role / jurisdiction of the Ministry of Environment & Forests for ensuring timely completion of Drinking Water Projects by the State Government, the Ministry stated in their written reply as follows:-

"The role of Ministry of Environment and Forests is limited to the extent of placing the proposals for taking up the activities within National Parks and Wildlife Sanctuaries before the Standing Committee of National Board for Wild Life."

19 On enquiring by the Committee about the role of the Central Government, in cases where the State Governments are not implementing Scheme(s) properly, the Secretary, Ministry of Water Resources while tendering oral evidence on 3.11.2010 deposed as follows :-

"Sir, the actual position is that State Government finalizes their own Scheme(s). There is no provision that Central Government gives direction to State Government to work as per their direction. Second point is that if any State Government has sanctioned any scheme on priority, the Central Government can see its progress. We can review but from our side we can not give direction."

20 As regards the status of clearance of Transmission System in Chambal–Dholpur–Bharatpur Drinking Water Supply Project, the Ministry of Environment & Forests vide their communication dated 20 April, 2012 submitted that the Ministry has conveyed in principle approval to the Chambal-Dholpur-Bharatpur Water Supply Project of the State Government of Rajasthan vide letter dated 11.01.2011 subject to compliance of certain conditions. The compliance of the conditions stipulated in principle approval is yet to be submitted by the State Government.

21 On the same issue, the Ministry of Drinking Water & Sanitation further submitted as follows :-

"PHED, GoR, vide its letters dated 3.3.11, 14.3.11, 24.3.11, 25.4.11 and 13.05.2011 requested Central Water Commission, Government of India to

examine and vet the design and drawings of intake well and approach bridge. However, the CWC, vide letter dated 7.3.11, 23.3.11 and 15.4.11 imposed certain conditions like approval of Commissioner (Ganga), Ministry of Water Resources, sharing of Chambal Water between Rajasthan and MP in 50:50, inter-state submergence issues, obtaining NoC from MoWR, New Delhi, which were not asked earlier while approving design and drawings of intake well and approach bridge for Chambal-Dholpur-Bharatpur Project. To avoid delay in fulfillment of these conditions, which were not actually required for Drinking Water Supply Projects, Administrative Department decided to get the drawing examined from IIT Delhi, in place of CWC. Presently, the drawings are under examination at the level of IIT Delhi."

22 Briefing particularly about the Chambal-Sawaimadhapur-Nandoti Drinking Water Supply Project, the Ministry of Water Resources further submitted that CWC was approached for review of designs of intake well and approach bridge. Subsequently, CWC has conveyed the cost estimates for consultancy charges. Govt. of Rajasthan is yet to convey its acceptance for taking up the work by CWC.

23 The Ministry of Drinking Water & Sanitation further updated the status of the various drinking water projects covering villages of Dang Area as follows :-

i) Chambal-Dholpur-Bharatpur Water Supply Project : The works of main transmission pipeline from Intake well at river Chambal, near Dholpur, to Bharatpur are under execution. The Chambal water has been made available to Keoladeo National Park, Bharatpur from 10th October 2011. The works of main transmission system are expected to be completed, in all respect, by 31st August 2012. Out of 212 villages (248 villages as per census 2001), sanctioned under the project, works of cluster distribution system for 62 villages of District Dholpur are under execution in a separate contract. About 96% of the works have been completed so far. As of now, 19 villages have been partially benefited with Chambal water. The works are expected to be completed by 31st August 2012. Further, 97 villages of District Bharatpur are being taken up in a separate contract and tenders have been invited for covering these villages with stipulated execution period of 30 months. Works for remaining 89 villages of the project shall be taken up in a phased manner, as per budget availability.

ii) Chambal-Sawaimadhapur-Nandoti Water Supply Project: The works of the main transmission pipeline from intake well in River Chambal, near Mandrayal, to Sawaimadhapur town are under execution. About 64% of the works have been completed so far. The project is likely to be completed by December 2014. Works of cluster distribution system for 636 sanctioned

villages of the project shall be taken up in a phased manner, as per availability of funds.

iii) Water Supply Project for 12 villages of Dang Area : The works of transmission system of Dang Projects and of 12 villages have been completed and water is being delivered to all 12 villages.

iv) Regional Water Supply Scheme for 82 villages of Dang Area: The works of the scheme are under execution and more than 75% of the physical works have been completed so far. The project is likely to be completed by December 2012.

24 Further updating the latest status of the two Drinking Water Projects namely

(i) The Chambal-Dholpur-Bharatpur Drinking Water Project and (ii) The Chambal-Sawai Madhopur-Nandoti Drinking Water Project and number of villages likely to benefit from these schemes, the Ministry of Rural Development (Department of Drinking Water & Sanitation) in a written reply stated as under :-

S. No.	District	Name of Project	Sanctioned Amount (Crores)	Proposed Coverage		Current Status	Estimated Year of Completion
				Town	Village		
1	Dholpur	Dang Area Project -Part-I-	19.84	0	12	Complete	-
		Dang Area Project -Part-II-	87.02	0	82	In Progress	2011-12
		Chambal-Dholpur-Bharatpur Phase-I, Part-I	166.50	1	212 (Dholpur 69)	In Progress	2013-14
2	Karauli and Sawai Madhopur	Chambal-Sawai Madhopur- Nadauti Phase-I	468.18	1	636 (Karauli-384, S. Madhopur-252)	In Progress	2013-14
3	Kota	Improvement of Kota town distribution System – (Works left out from RUIDP))	48.24	1	-	In Progress	2010-11
		Ramanganjmandi – Pachpahad Drinking Water Project	196.00	5	220	Complete	-

25 When enquired, if other than these two projects, there is/are any other proposal(s) pending to cater the drinking water needs of the local people, the Ministry of Environment & Forests in their written reply submitted :-

"There are no proposals pending for decision before the Standing Committee of NBWL with respect to drinking water needs of local people and pertaining to National Chambal River Sanctuary. It is mentioned that earlier vide decision of the Standing Committee of NBWL two projects viz. Chambal-Dholpur-Bharatpur Drinking water project and Chambal-Sawai Madhopur-Nandoti Drinking water project were recommended and as informed by the PCCF and Chief Wildlife Warden on 07.07.2010, approval of Hon'ble Supreme Court for the said projects have been obtained."

26 When the Committee asked about the reasons for not including the nearby villages / area of Chambal River for providing the benefit of Drinking Water Projects despite the fact that the water for the above projects is being taken from the Chambal River, the Secretary, Ministry of Water Resources while tendering oral evidence before the Committee on 3.11.2010 submitted :-

"Sir, it is a very important issue.when the water supply from Chambal is given, then it is clear that it will be given to other areas also. From this some areas have been left out. We can only request the State Government by stating that, hon'ble Member has raised issues for these left out villages, you get them also examined, if these can also be included? We can help this much.....We can take lift from hon'ble Member and forward it.The State Government will definitely consider it but the final decision will be taken by the State Government."

27 When the Committee desired to know, if it may justified to use Chambal River water outside Chambal area before fulfilling their requirement, the witness submitted as follows :-

"The problem in this is to know about the inflow of the water. Its required for drinking, irrigation and also to share it with M.P. and other States. Rajasthan alone cannot use its water. There are many issues involved in it which cannot be decided at once. It cannot be used in just one km. area of the river."

28 On the same issue, the Principal Secretary, Department of Water Resources & PHED, Government of Rajasthan further submitted before the Committee as under :-

".....On the two issues. The first is about drinking water. It is correct that water level in dang villages has receded. There are hand pumps in majority of villages so there is problem of water there. Only long time

permanent solution to the problem is increasing level of ground water. This is the only solution for this area. Whatever projects formulated for this area have been considered by the Government as a only solution for the area. We have three projects based on Chambal and one is based on Parvati River. They have been sanctioned. There has been a lot of delay in completion of these projects. The facts about this has been presented before the Ministry. It takes a lot of time because there are various processes to be completed. Wild life clearance and CWC clearance are compulsory but sometimes issues go to the Supreme Court. If project is started without getting clearance later on, contractor leaves it. And again process of re-tendering takes three years. This is the fact about Chambal-Dholpur project. Hon'ble Member of Parliament has mentioned about this project that 69 villages in Dholpur dang area will be covered under this. We were making efforts to complete it by April after getting permission from Hon'ble Supreme Court and also from the Ministry and we were to give water to Ghana Sanctuary also. But a forest officer came in the middle and told that 69 hectares of land was a forest land and permission was issued for this project so ongoing work was stopped. We were working on drawing plan submitted with affidavit in the Supreme Court but the question was raised even on that. We have again started the same process and the application with all documentation has been submitted. The case is with the Supreme Court and another has been sent to Lucknow. As soon as we get permission will try to give water under the scheme by July this year to 69 villages in Dholpur Dang area."

29 The Committee when specifically enquired about the provision of special package for villages of Dang Area near Chambal, the Principal Secretary, Government of Rajasthan submitted before the Committee as follows :-

"I am telling about the cluster the phase two that is to be taken up plan and this cluster includes 450 villages of about 50 panchayats of dang area of Karoli and Dholpur. After preparing the total master plan for Nayauti Karoli, Karoli and Bharatpur. We are making project for which cluster would be sanctioned. We are trying to start this work at an early date but the target is the year 2016. The funding process will work till 2016. We want to do it early but it is not possible since we have not so much funding arrangement till date. These villages are in our priority list."

"He further assured that we are including these in this plan, in clusters and we will do it."

30 The Public Health Engineering Department, Government of Rajasthan vide its letter dated 25.5.2011 furnished details of the coverage of villages of Karauli and Dholpur Districts included in the Dang Area envisaged under ongoing major Drinking

Water Supply Projects and proposal for covering the remaining villages of Dang Area as follows :-

A. Coverage envisaged under ongoing major drinking water supply projects

Name of Project	Ongoing	Sanctioned coverage and likely cost		Villages of Dang Area proposed to be covered and proportionate cost		Present status of project
1. Chambal-Sawai Madhopur-Nandoti Drinking Water Supply Project		636	770.00	224	271.00	Works of Transmission System under progress. Construction of intake well is getting delayed pending approval of design and drawing by CWC. The likely completion date of Transmission part of Project is 31.3.2013. The clusters are targeted to be completed by 2016 as per the availability of funds.
2. Chambal-Dholpur-Bharatpur Drinking Water Supply Project		248	450.00	10	18.00	Works of Transmission System under progress. Works got delayed pending environmental and forest clearance. The likely completion date of the Transmission part of Project and cluster distribution system for 62 villages of District Dholpur is July, 2011. The remaining clusters are targeted to be completed by 2013 as per the availability of funds.
3. Dang Area Project		94	107.00	93	106.00	Works of Transmission System part of the project completed. 12 villages of Dang Area covered. Regional water supply scheme for 82 villages under progress and scheduled to be completed by September, 2011.
Total		978	1327.00	327	395.00	

B. Proposal for covering the remaining villages of Dang Area

S. No.	District	Total No. of villages under Dang Area	No. of villages of Dang Area already addressed under the above refereed projects	Remaining villages of Dang Area	Tentative cost to cover the remaining villages from Chambal basin (Rs. in crore)
1.	Karauli	494	224	270	216.00
2.	Dholpur	407	103	304	244.00
Total		901	327	574	460.00

31 As such, out of 901 villages of Dang Area, 327 villages have been addressed under Surface Source based major Drinking Water Supply Projects namely Chamabl-Sawai Madhopur-Nandoti Drinking Water Project (224 villages). The Committee were also informed that for covering remaining 574 villages of Dang Area from surface source based water supply schemes, there would be a requirement of approximately Rs.460 crore.

32 When the Committee desired to know if any action has been initiated by the State Government of Rajasthan with the Planning Commission for sanction of funds for Districts viz. Dholpur and Karauli, the Ministry of Drinking Water & Sanitation furnished in a written reply as under:-

"Yes, Public Health Engineering Department, GoR, vide letter dated 3.2.12 requested Planning Commission to grant special package of Rs. 460.00 Crore for taking up of water supply projects for the remaining 574 villages of the Dang Area (District Dholpur and Karauli)."

33 The Committee then categorically desired to know as to how the State Government would meet the water need of the remaining 574 villages especially those villages which have not been provided with the Hand Pumps till date under

any Action Plan; in the case of inability of the Planning Commission to sanction funds for next one or two years, the Ministry of Drinking Water & Sanitation stated in a written reply as under :-

"It is to inform that all the 574 villages are covered with various water supply schemes like hand pump, pump & tank, Regional Water Supply Scheme or piped scheme. Further, the department has already prepared action plan for taking up of the works of various major drinking water supply projects and looking to the liabilities of these projects in the forthcoming years, it does not seem possible to take up surface source based drinking water supply projects for the Dang Area, out of the available/likely allocated funds to the department by Financial Year 2015-16."

34 Thereafter the Committee brought to the notice of the Ministry that Planning Commission has sanctioned Rs.138 crore to Rajasthan Government as a Special Package for Drinking Water Schemes, the Chief Secretary, State Government of Rajasthan submitted before the Committee that, "no exclusive sanction has been made for this plan. Planning commission has sanctioned additional sanction, that is in the form of overall package".

35 He further submitted before the Committee as follows :-

"Sir I have received the copy of letter only now. It reads that we made a provision of Rs. 138 crores for the State. It is also mentioned in it that the allocation is made for the state as whole and not for any particular project. In the second paragraph it is told that for one time additional central assistance we have to again approach the Planning Commission. Already one time assistance for the year 2012-13 has been allocated. So for extra provision we will again have to approach Planning Commission and get the sanction. After that our 70% will be released separately which we will get sanctioned by approaching planning commission again."

36 The Committee specifically pointed out that in Dholpur and Karouli water planning is 80% based on Hand Pumps because of which the water level has gone down and the situation has worsened in the absence of piped water projects. In

response, the witness from the State Government of Rajasthan submitted before the Committee as follows :-

"Presently water system is mainly hand pump based and hand pump is not a sustainable systems since the water levels recede so the State Government have formulated some schemes to change this system with sustainable Chambal waters."

He further submitted :-

"The funds sanctioned by the intervention of committee will help us cover more area and remaining 574 villages. Many types of clearances have to be taken like clearance from wild life board, environment clearance, which takes time so the work goes slow. Benefits of the schemes have started coming in e.g. water has come in Kavladev park in Bharatpur and in some villages also. Only one scheme in which progress is only 64% and in it water is expected to come by 31 August, 2013. Hence the progress is better than we expected and as soon as we get sanction Rs.138 crores we will formulate scheme for the same and send."

He further submitted before the Committee that 96% work has been completed in Chambal Dholpur, Bharatpur scheme it will be completed by 31 August, 2012. The other scheme Chambal Swaimadhopur scheme is delayed and the work in it will be completed by December, 2014.

Chambal-Panchna-Jaggar Lift Pariyojna

37 On being enquired by the Committee about the status of Chambal-Panchna-Jaggar Lift Pariyojna, the Ministry of Environment & Forests furnished in a written reply as under:-

"No proposal on this scheme has been received in the Ministry from the State Government of Rajasthan. State Forest and Wildlife Department, Rajasthan has informed that a proposal of 'Chambal Panchna Jaggar Lift Pariyojna' was received on 15.12.2007. The proposal had shortcomings in required information for consideration and, therefore, was returned back to the Executive Engineer, Water Resources, Karouli with the request to provide the correct information in respect of the proposal. The concerned officer was requested to provide further information in this regard in October 2010, which has not yet been received by the State Forest Department."

38 When the Committee desired to know about the date of returning the above proposal to Executive Engineer, Water Resources, Karouli and the shortcomings noticed thereof, the Ministry of Environment & Forests furnished in a written reply as under:-

"As per the information received from the Chief Conservator of Forests (Wildlife), Government of Rajasthan, the proposal was returned to the Executive Engineer, Water Resources, Karouli on 04.10.2010 reply to which had not been received by the State Forest Department as on the date of communication. Information on further progress in the matter is awaited from the Government of Rajasthan. Proposal duly approved by the State Board for Wildlife has not yet been received in the Wildlife Division of the Ministry."

39 The Committee categorically desired to know from the representative of the State Government about the problems being faced by the State Government for giving clearance to Chambal-Panchna-Jaggar Pey-Jal Yojna, the Principal Secretary, Department of Water Resources, Government of Rajasthan submitted before the Committee during evidence held on 21.6.2012 as follows :-

"On 25 April, 2011 National Board of wild life decided not to give clearance to any project because three percent quantity of water in Chambal is decreasing every year. It was decided to take prior clearance from Ministry of Forest and Environment before matter on this may be considered in Central Water Commission of Ministry of Water Resources."

40 When the Committee pointed out that without receiving any reply in response to the letter dated 22.7.2010 written by the Chief Forest Conservator to Executive Engr, Karouli and places the matter before Environment Department on Standing Committee how the State Government can presume that it will not be cleared. The Principal Secretary, Deptt. of Water Resources, the State Government of Rajasthan while tendering oral evidence on 21.6.2012 submitted before the Committee that, "the Irrigation Department had also submitted diversion plan for conversion of 20.34

hectares of forest land.....The National Life Board took decision that, henceforth, they will not take any project related to Chambal".

41 Responding to the issue, the Special Secretary, the Ministry of Environment & Forests submitted as follows :-

"Due to efforts made by Hon'ble Committee and Hon'ble Members all issues related to this have been discussed with positive approach in the Ministry of Forest and Environment. I would like to say that as per a report of wild life Institute of India submitted in the meeting of standing committee that actual water flow during the year except four months is not sufficient for dolphins or crocodile.....In this connection, I would like to say that Hon'ble Member has not said that no project should be sent to us. If State Government that better knows the local issues and people's difficulties, forwards any project with recommendations that will be examined with full respect and final decision on it will be taken. But I may not tell about the decision to be taken because it is not my jurisdiction."

Dholpur Lift Irrigation and Hydro Power Projects

42 While furnishing the status of clearance of proposals related to Irrigation & Hydro Power Projects of Chambal river basin, the Ministry of Environment & Forests in their written reply submitted as follows :-

"With respect to the proposals namely Dholpur Lift Irrigation Projects and four Hydro Power Projects (Rahu ka gaon, Gujjapur, Jaitpur & Barsala), it is mentioned that the Standing Committee of National Board for Wildlife (NBWL) had considered this proposal in its meeting held on 12.4.2010 wherein it was decided that Wildlife Institute of India (WII), Bombay Natural History Society (BNHS) and World Wildlife Found for Nature (WWF) would carry out a study in this regard in consultation with state authorities. The study would cover all related aspects of Chambal River basin, impacts of various proposed projects on river flow and its aquatic life and water availability in the river. The committee would submit its report within 9 months. The present proposal for Dholpur lift as well as four proposals of hydro power projects submitted by Government of Rajasthan could be decided only after studying the findings of above mentioned committee.

Accordingly, Wildlife Institute of India (WII), Bombay Natural History Society (BNHS) and World Wildlife Found for Nature (WWF) have been requested to undertake the study and submit their report within the stipulated time period. Thereafter, the report would be placed before the Standing Committee of NBWL for final decision. The projects proponents have to approach Hon'ble

Supreme Court for final clearance in case the project is recommended by the Standing Committee of NBWL."

43 However, the Ministry of Water Resources in their written reply have submitted that the projects mentioned in the representation namely Dholpur Lift Irrigation Project and four hydro-power projects in Rahu Ka Gaon, Gujjarpura, Jaitpura and Barsala have not been received in central Water Commission for appraisal.

44 The Secretary, Ministry of Power while tendering oral evidence before the Committee on 15.4.2011 clarified that since size of these projects are less than 25 MW, these hydro projects are not to be sent to the Ministry of Power or its agencies.

45 When the Committee desired to know about the details of the cost involved in these Projects and above all whether there is any cost overrun in the Projects, the Ministry of Environment & Forests in a written reply stated as under :-

"As per the initial proposal for the Dholpur Lift Irrigation Project, the cost has been indicated as Rs.90.68 crores, while the cost of the 4 hydro power projects have not been indicated in the proposal available in the Ministry. The Ministry is not aware of the cost escalation for the above projects. However, due to the present economic situation, escalation of the cost can not be ruled out."

46 On being asked by the Committee about the details of the expected date of completion of these projects, the Ministry of Environment & Forests furnished in a written reply as under:-

"This matter pertains to the Government of Rajasthan. No specific time line has been indicated in the above mentioned two project proposals."

47 While giving details of the specific role of the Ministry of Water Resources in funding and commissioning of Irrigation Projects by different States, the Ministry stated :-

"The Accelerated Irrigation Benefits Programme (AIBP) is a State Sector Scheme and the funds are released by Ministry of Finance to the State Governments on the recommendation of Ministry of Water Resources. Central Water Commission has been assigned the responsibility to comprehensively monitor the projects receiving Central Assistance. Selected Minor Surface Water Irrigation Projects receiving Central Assistance are also monitored by CWC. As a part of AIBP monitoring, the projects are inspected twice a year and the status reports are prepared and issued to all concerned.

All the State Governments have been requested to establish Monitoring Cell in the State for monitoring of Minor Irrigation (MI) schemes under AIBP where an officer of Central Water Commission of Regional Office should also be a member. In response, all the concerned States except Maharashtra have established the Monitoring Cell for monitoring of MI schemes under AIBP. State Governments have also been requested to undertake regular monitoring of all the MI schemes under AIBP and submit Monitoring Reports to undertake monitoring of MI schemes on random sample basis (atleast 5%)."

48 In this connection, the Committee were further informed as under :-

"Irrigation being State subject, planning, funding, execution including priority of execution of irrigation and water resources projects is within the purview of respective State Government. The Central Government provides policy guidelines on various aspects of water resources projects such as provision of water in irrigation projects for drinking, industrial and other purposes. Apart from it, the Ministry of Water Resources carries out techno-economic evaluation of water resources projects received from State Governments and accords techno-economic clearance to the projects which is followed by the investment clearance from the Planning Commission. Investment clearance of the Planning Commission is mandatory for projects for availing financial assistance under various schemes being operated by the Central Government such as Accelerated Irrigation Benefits Programme (AIBP), Command Area Development and Water Management (CAD&WM) Programme and Flood Management Programme (FMP).

One of the flagship programme of Central Government which assists State Government in expeditious completion of ongoing irrigation project is AIBP under which, Central assistance is provided to the State Governments for expeditious completion of ongoing irrigation projects to realize their benefits. The programme is oriented towards providing central assistance to major/medium and surface minor irrigation projects (for special category States and drought prone/ tribal areas of non-special category States) for their completion in scheduled time frame and aims to create irrigation potential across all the States.

So far, 283 major/medium projects and 11655 surface MI schemes have been funded under AIBP. Total central assistance provided to States under the

programme since inception of the programme till date is Rs.43407.2116 crore. Under the programme, 124 major/medium projects and 7969 surface MI schemes are so far reported as completed. Irrigation potential of 5.486 million hectares from major medium projects and of 0.454 million hectares from surface MI schemes is reported to have been created up to March 2009. Irrigation potential of 0.984 million hectares is estimated to have been created under programme during 2009-10.

So far, 10 major/medium projects of Rajasthan have been funded under AIBP of which 7 projects have been completed and 3 projects are ongoing. Total central assistance of Rs.2087.9202 crore has so far been provided to the State. Of the ultimate irrigation potential of 13.25 lakh hectares of these projects, irrigation potential of 6.12 lakh hectares is reported to have been created under AIBP up to March 2009. Irrigation potential of 0.46 lakh hectares is reported to have been created during 2009-10.

7 surface MI schemes of Rajasthan have been included in the AIBP during 2009-10 of which, 6 MI schemes are in Chambal Basin. For these 7 schemes, grant amounting to Rs.14.17 crore has been provided during 2009-10. The schemes under Chambal basin are Bheemani (Jhalawad), Semli Fatak (Baran), Amba (Kota), Kishorpura (Kota), Ladpura (Kota) and Danta (Kota)."

As per MoU signed by the State Government with the Ministry of Water Resources these MI Schemes are scheduled for completion in 2011-12.

49 Explaining the difference between Major / Medium Projects and Surface MI schemes and the criteria followed to sanction either a Major / Medium Project and Surface MI scheme for a particular area, the Ministry of Water Resources submitted in a written reply as follows :-

"The irrigation projects are classified based on their Culturable Command Area (CCA). Irrigation projects/schemes having CCA upto **2000 ha** is classified as minor irrigation project/scheme. Irrigation projects having CCA **2000 ha** or more but less than 10000 ha are classified as medium projects and irrigation projects having CCA of 10000 ha or more are classified as major projects.

The prevailing AIBP guidelines provides following selection criteria for inclusion of major/medium projects:

Major/medium projects having investment clearance of the Planning Commission, which are in advanced stage of construction and could be completed in next four financial years and are not receiving financial assistance from any other sources are eligible for inclusion in the AIBP.

Components of the projects not receiving financial assistance from any other sources could also be considered for inclusion in the AIBP.

50 As regards, the status of the 03 ongoing projects out of 10 Major / Medium Projects of Rajasthan which have been funded under AIBP, the Ministry of Water Resources in a written reply stated as under :-

"The three ongoing projects under AIBP of Rajasthan are Indira Gandhi Nahar Pariyojana Phase II, Narmada Canal and Modernization of Gang Canal. IGNP-II Project has not been posed for funding under AIBP after 2005-06 by the State Government and the State Government will be required to enter into the revised MOU if it desires that funding under AIBP should resume. The target date of completion of the project will therefore be decided at the time of execution of new MOU. As per latest MOU for Narmada Canal project, the project is targeted for completion by March 2013. For Modernization of Gang Canal project also, the existing MOU has expired. However, as per investment clearance to the latest estimated cost of the project granted by the Planning Commission, the project is required to be completed by the state government by 2012-13."

The Committee were further updated the status as follows :-

"The proposal of Govt. of Rajasthan for release of funds under AIBP for the year 2011-12 for Narmada canal project received during November 2011 in the Ministry of Water Resources was processed and recommended to Ministry of Finance. Ministry of Finance requested to furnish the details of DPAP and DDP areas in the command of the project. Funds could not be released for want of finalisation of these details by State Govt. As per MoU in force, the project is scheduled to be completed by 2012-13.

The proposal of Govt. of Rajasthan for release of funds under AIBP for the year 2011-12 for Modernisation of Gang canal project received during February 2012 in the Ministry of Water Resources was processed and recommended to Ministry of Finance. Central Assistance of Rs. 3.375 crore was released to this project during 2011-12. As per MoU in force, the project is scheduled to be completed by 2012-13.

No request for release of funds for IGNP-II project for the year 2011-12 was received in Ministry of Water Resources."

51 As regards the Major / Medium Irrigation Projects and Surface MI Schemes sanctioned separately for the benefit or relief of the local people of Chambal region

of Rajasthan and Madhya Pradesh, the Ministry of Water Resources in a written reply submitted as follows :-

"There is no major/medium project benefiting Chambal Region completed or ongoing under AIBP in the Madhya Pradesh. There are three projects in Rajasthan (under AIBP) which benefits Chambal region the details of which are given below:-

1. Panchana

This project benefits Sawai Madhopur district of Rajasthan. The project was included in the AIBP in 1997-98 and has been completed in 2004-05. Central Assistance of Rs.43.377 crore has been provided to the project. The targeted irrigation potential of the project under AIBP was 2398 ha which has been created.

2. Bisalpur

This project benefits Tonk and Sawai Madhopur district of Rajasthan. The project was included in the AIBP in 1998-99 and has been completed in 2006-07. Central Assistance of Rs.41.56 crore has been provided to the project. The targeted irrigation potential of the project under AIBP was 1800 ha which has been created.

3. Gambhiri Modernization

This project benefits Chittorgarh district of Rajasthan. The project was included in the AIBP in 1998-99 and has been completed in 2000-01. Central Assistance of Rs.1.315 crore has been provided to the project. The targeted irrigation potential of the project under AIBP was 925 ha which has been created.

- **Surface MI schemes**

During 2009-10, 7 new surface MI schemes of Rajasthan have been included in the AIBP of which, 6 schemes are in Chambal Basin. These 6 schemes are Bheemani (Jhalawad), Semli Fatak (Baran), Amba (Kota), Kishorpura (Kota), Ladpura (Kota) and Danta (Kota). Irrigation potential of these six schemes is 3111 ha which will be created on completion of the schemes. As per AIBP guidelines, these schemes are required to be completed by 2011-12.

For the lot of 7 schemes referred above, central assistance of Rs.14.17 crore has been provided so far. State Government has reported that no scheme has been completed so far. The details of six MI schemes are as follows :-

Rajasthan

Details of 6 Minor Irrigation Schemes in Chambal Basin included under AIBP
(as on 21.10.2010)

(Rs. in lakh / Potential in Hectare)

S. No.	Name of Scheme	Distt.	Block	Specific area	Sanctio ned cost	Exp. incurred upto 3/09	Balance cost under AIBP	Potential planned (in ha)	Exp. incurred upto 09/2010	Remarks
1.	Anwa	Kota	Sangod	DPAP	154.00	0.05	153.95	103.00	0.69	Delay due to non-clearance from the Ministry of Environment & Forests
2.	Kishorpura	Kota	Sangod	DPAP	166.80	0.22	166.58	165.00	0.66	Delay due to non-clearance from the Ministry of Environment & Forests
3.	Semli Phatak	Baran	Shahbad	DPAP	670.00	1.00	669.00	448.00	968.99	
4.	Ladpura	Kota	Sangod	DPAP	155.00	0.23	154.77	180.00	0.50	Delay due to non-clearance from the Ministry of Environment & Forests
5.	Danta	Kota	Sangod	DPAP	167.50	0.04	167.46	267.00	1.07	Delay due to non-clearance from the Ministry of Environment & Forests
6.	Bhimni	Jhalawar	Dug	DPAP	2201.45	576.01	1625.44	1948.00	713.44	
	Total : 6				3514.75	577.55	2937.20	3111.00	1685.35	

A total No. of 42 MI schemes in Chambal Basin of Madhya Pradesh have been included under AIBP so far. The potential planned of these schemes is 11846.91 ha. State Govt. has reported that out of 42, 20 MI schemes have been completed as on 26.10.2010 and an irrigation potential of 3403.17 ha has been created.

52 The Ministry of Rural Development (Department of Drinking Water and Sanitation) further submitted :-

"Detailed Project Reports (DPR) of 3 major / medium projects of Madhya Pradesh in Chambal basin namely, Bhanpura Canal Scheme, World Bank funded Water Sector Restructuring Project and Mahuar Project are under appraisal in the CWC. DPRs of 6 major/medium projects in Rajasthan in Chambal Basin namely, Piplada Lift irrigation, Indira Lift irrigation, Parwan Irrigation and Drinking Water Supply Project, Hatiadeh Irrigation Project, Andheri Irrigation Project and Rajgarh Irrigation Project are under appraisal in CWC. In addition, there are 3 major/medium projects in Rajasthan in Chambal Basin namely, Piplad, Takli and Gagrin projects which have been accorded techno-economic clearance subject to fulfilling of some conditions by the State Government of Rajasthan. As stated earlier, irrigation being State subject, planning, execution and funding as well as priority of execution

and completion of irrigation projects is within the purview of respective state governments. 6 surface MI schemes in the Chambal basin have been included in the AIBP during 2009-10 and as per MOU signed by the State Government with the Ministry of Water Resources, these MI schemes are scheduled for completion in 2011-12."

53 When the Committee desired to know the details such as – the year in which the proposal was initiated and submitted to the CWC, budgetary allocation and the completion schedule of each of the aforesaid projects, the Ministry of Water Resources in a written reply submitted as under :-

"These projects are not yet having investment clearance and are not included in the AIBP. Therefore, details regarding budget provision and expected time of their completion are not known. Other details of the projects are furnished below:

MADHYA PRADESH

1. Bhanpura Canal scheme

The project benefits Mandsaur district of Madhya Pradesh and having irrigation potential of 9200 ha. The project proposal was received in 12/2002 in CWC for appraisal.

2. Project implementation plan for MP Water Sector Restructuring Project- 6 major, 33 medium and minor irrigation projects

The project benefits districts in Chambal, Betwa, Sindh, Ken and Tons sub-basin in Madhya Pradesh and has irrigation benefit to 495000 ha. The project proposal was received in 7/2004 in CWC for appraisal.

3. Mahuar

The project benefits Shivpuri, Gwalior and Guna district of Madhya Pradesh and having irrigation potential of 13755 ha. The project proposal was received in 1/2008 in CWC for appraisal.

RAJASTHAN

Projects under various stages of appraisal

1. Pipalda Lift Irrigation scheme

The project benefits Sawai Madhopur district of Rajasthan and having irrigation potential of 14870 ha. The project proposal was received in 9/1996 in CWC for appraisal.

2. Indira Lift Irrigation scheme

The project benefits Sawai Madhopur, Karauli, Dausa and Bharatpur district of Rajasthan and having irrigation potential of 104845 ha. The project proposal was received in 12/2003 in CWC for appraisal.

3. Parwan irrigation cum drinking water supply project

The project benefits Jhalawar, Baran and Kota district of Rajasthan and having irrigation potential of 105062 ha. The project proposal was received in 12/2006 in CWC for appraisal.

4. Hatiadeh irrigation project

The project benefits Baran district of Rajasthan and having irrigation potential of 6885 ha (CCA). The project proposal was received in 07/2007 in CWC for appraisal.

5. Andheri irrigation project

The project benefits Baran district of Rajasthan and having irrigation potential of 7700 ha (CCA). The project proposal was received in 05/2002 in CWC for appraisal.

6. Rajgarh irrigation project

The project benefits Jhalawar district of Rajasthan and having irrigation potential of 8634 ha (CCA). The project proposal was received in 07/2007 in CWC for appraisal.

Projects accepted by the TAC subject to certain observations

1. Piplad

The project benefits Jhalawar district of Rajasthan and having irrigation potential of 3549 ha. The project proposal was received in 1/1999 in CWC for appraisal and was accorded TAC clearance in 86th TAC meeting held on 2.6.2006.

2. Takli Irrigation cum drinking water supply project

The project benefits Kota district of Rajasthan and having irrigation potential of 4791 ha. The project proposal was received in 11/2002 in CWC for appraisal and was accorded TAC clearance in 86th TAC meeting held on 2.6.2006.

3. Gagrin Irrigation project

The project benefits Jhalawar district of Rajasthan and having irrigation potential of 9675 ha. The project was accorded TAC clearance in 86th TAC meeting held on 2.6.2006.

Discrepancies observed in the information provided by the CWC and Government of Rajasthan

1. Earlier, CWC provided list of six projects under appraisal as below

1. Piplada
2. Indira LIS
3. Parwan
4. Hatiadeh
5. Andhreri
6. Rajgarh

In the latest status of appraisal provided by the CWC, Piplada and Andheri project are not shown.

2. There is mention of a project namely Chambal Panchana Lift Irrigation scheme in the information provided by the State Government. It is stated that proposal was submitted to the CWC on 29.12.2008. However, this project is not in the list of projects under appraisal recently received from CWC.

There is a project namely Panchana which has been completed under AIBP.

3. There is a project namely Dholpur Lift Irrigation scheme which finds its mention in the information provided by the State Government which is stated to be under appraisal in CWC. However, this project also does not find any mention in the list of the projects under appraisal with the CWC.

It appears that for Chambal Panchana lift and Dholpur Lift irrigation Project, the State Government has submitted preliminary reports to the CWC for appraisal. This requires to be confirmed from the CWC/State Government.

4. There are two projects namely Chhapi and Chauli which have been completed under AIBP. However, from the information which is available with this Ministry, it is not confirmed whether they are located in Chambal basin or not.

5. It is also not clear from the information available with us whether there is any major/medium project in Madhya Pradesh which is located in the Chambal basin.

54 On being enquired by the Committee that if the Lift Irrigation Projects gets NOC and they get started, then surrounding villages too get primary facilities like road and other basic infrastructure development. In response, the Chief Secretary, State Government of Rajasthan stated that he has made note of this good suggestion and positively it will bring change.

55 Regarding the reasons for the delay in implementation of the Irrigation Projects in Rajasthan and MP the Principal Secretary, Department of Water Resources & Public Health Engineering Department, the State Government of Rajasthan during the course of oral evidence deposited before the Committee as follows :-

"We had formulated four schemes for this area. It is correct that this area is inhabited by very poor and backward people and if they get water for irrigation then certainly their poverty will be eradicated. There is a long process for environmental and other clearances. I just want to submit that it is law and the process decided by the Hon'ble Supreme Court will have to be followed. If at the level of Government of India itself a system is set and time limit for every process is fixed then something can be done about it. Now the major obstacle in this is that as the paper from Dholpur Lift came for clearance, our Forests Department said something on it. there is a judgement of Supreme Court which said that a study on it should be conducted from Wild Life Institute, Dehradun. That study took 2 years. After two years the Study Report came and was presented before Central Board and National Board of Wild Life, then they said there are three institutions i.e. National Institute, Dehradun, Natural history Society, Bombay and another is WFMF Fund. Another joint study should be conducted by all three of them regarding the position of water and the minimum flow required. As per my information they will submit that Study Report this month itself. After that Report comes, a board meeting will be held; then the matter will go to Supreme Court and after that it will be clear what is included and what is left rejected. There is not one project on Chambal, there are 25 projects of Chambal. All the 25 projects re at different level of processing and are being told that so and so studies should be conducted in this regard. If the Ministry conducts a composite study of the whole Chambal basin then we will be able to complete any of our future

projects in time. Our other four projects are under consideration at different levels. As soon as we get the clearance Government also wants to start work early."

Mining of Sand and other issues for development of Chambal Region

56 When the Committee asked about the road map, if any, prepared by the Ministry to carry out the development work in the Chambal area, the Ministry of Environment & Forests in a written reply submitted as under :-

"The Ministry has constituted a National Tri-State Chambal Sanctuary Management and Coordination Committee for coordinated management of the Chambal Sanctuary in the three States of Madhya Pradesh, Rajasthan and Uttar Pradesh in participatory mode and by involving all the stakeholders, with a view to preserve the ecological integrity of the Chambal River ecosystem, which has a direct bearing on the livelihood security of the local communities."

The Committee were further informed :-

"Financial assistance to National Chambal Ghariyal Sanctuary in Madhya Pradesh, Rajasthan and Uttar Pradesh have been provided under the Centrally Sponsored Scheme of 'Integrated Development of Wildlife Habitats' during the year 2011-2012 also as per the following details:

S. No.	State	Amount released (In Rs. lakhs)
1.	Madhya Pradesh	23.269
2.	Rajasthan	58.011
3.	Uttar Pradesh	25.02
Total		106.30

"

57 On being asked by the Committee about the details of the policy of the Union Government regarding utilization of the sand of Chambal River, the Ministry of Environment & Forests in a written reply submitted as under:-

"The Ministry of Environment and Forests has no comments to offer on the 'policy for utilization of sand'. However, the Environmental Impact Assessment (EIA) Notification, 2006 mandates prior environmental clearance for certain categories of projects including mining of various minerals, both major and minor. This notification provides for the detailed procedure for seeking environmental clearance and the threshold limits for

categorization of projects into category 'A' and 'B' requiring clearance at Central and State level respectively, as under:

Category 'A' –

- More than or equal to 50 ha. of mining lease area in respect of non-coal mine lease;
- More than 150 ha. of mining lease area in respect of coal mine lease;
- Asbestos mining irrespective of mining area.

Category 'B'

- Less than 50 ha. and more than or equal to 5 ha. of mining lease area in respect of non-coal mine lease;
- Less than or equal to 150 ha. and more than or equal to 5 ha. of mining lease area in respect of coal mine lease.

Further, as per Section 29 of the Wildlife (Protection) Act, 1972, any destruction of the wildlife habitat and its removal for commercial purpose from wildlife sanctuary is prohibited. In addition, the Hon'ble Supreme Court vide their order of 04.08.2006 has prohibited the mining in the National Parks/Sanctuaries. Further vide order dated 14.2.2000, Hon'ble Supreme Court has banned removal of dead, dying, diseased, wind fallen trees, grasses etc from National Parks and Wildlife Sanctuaries. Removal of sand from National Ghariyal Sanctuary is accordingly prohibited. It is mentioned that sand is required for nesting of the Ghariyals. Removal of sand for the purpose of use of local people, etc. could be done from areas outside the notified National Parks and Sanctuaries, as per existing rules of the States."

58 When the Committee enquired in particular about the details of requests received by the Ministry for grant of permission from the local people for utilization of sand for building their houses or for other purposes, the Ministry of Environment & Forests in their written reply stated as under :-

"This issue basically relates to the concerned State / UT Governments. Such requests are therefore, dealt with at the level of the State Governments."

59 As regards action taken or proposed to be taken against those persons who have been registered for illegal Sand Mining in the prohibited /notified area in different States as per the prevailing rules / law, the Ministry of Environment & Forests in a written reply submitted as under :-

"The Wild Life (Protection) Act, 1972 prohibits any destruction including mining of and damage to the areas of the Wild Life Sanctuaries and other Protected Areas. Any person who contravenes any provisions of this Act or the rules made there under, is punishable with imprisonment for a term which may extend to 3 years or with fine which may extend to ` 25,000 or with both. In case of second or subsequent offence of the above nature, punishment prescribed is imprisonment of 3 years which may extend to 7 years and also with fine which shall not be less than ` 25,000. Hon'ble Supreme Court has vide their order dated 4th August 2006, prohibited mining both inside as well as within 1Km outside from the boundaries of the National Parks and Sanctuaries."

The Ministry of Environment & Forests further added :-

"..... provisions of Section 29 of the Act, includes prohibition of mining inside the Wild Life Sanctuary also. The Act is being further amended to enhance the penalties for contravention of the provisions of the Act."

60 As regards the adequacy of existing Orders/Guidelines given by Hon'ble Supreme Court to curtail/stop the illegal Sand Mining from the prohibited Sanctuary area and reasons for continuance of the illegal Sand Mining in the area, the Ministry of Environment & Forests in a written reply submitted :-

"Provisions of the Wild Life (Protection) Act, 1972 read with the orders passed by Hon'ble Supreme Court from time to time are adequate to effectively control the illegal sand mining in sanctuary areas. The implementation of the provisions of the Act as well as the orders of Hon'ble Court is the responsibility of the concerned State Governments. The lack of adequate enforcement machinery including frontline staff is often quoted as a bottleneck in management and protection of the Protected Areas including controlling illegal mining activities. However, sporadic incidences of illegal sand mining are reported/detected in such areas, which are dealt with by the concerned law enforcement authorities in accordance with the extant legal provisions."

61 When the Committee desired to know about the initiatives / steps taken or proposed to be taken to control the illegal Sand Mining in different States, the Ministry of Environment & Forests in a written reply stated :-

"The Ministry of Environment and Forests renders technical and financial assistance to the State/UT Governments for better protection and conservation of the Protected Areas. Besides, the State/UT Governments

have been requested to ensure strict enforcement of the Wild Life (Protection) Act, 1972."

On the issue, the Committee were further informed :-

"Enforcement of the Wild Life (Protection) Act, 1972 is essentially the responsibility of State/UT Governments. The Chief Wildlife Wardens are fully competent to deal with the offences under the provisions of the Act. The Ministry of Environment and Forests does not compile information with respect to violations of the Act and the follow- up action thereon."

62 When the Committee asked about the number of cases registered in the States of MP, Rajasthan and UP for illegal mining of Sand or other activities during the last five years, alongwith action taken against them as per Hon'ble Supreme Courts' orders dated 4 August, 2006, the Ministry of Environment & Forests furnished in a written reply as under -

"The provisions of the Wild Life (Protection) Act, 1972 including those in respect of unlawful mining in sanctuaries notified under the Act are implemented by the concerned State Governments. As per the information received from the State Governments of Madhya Pradesh, Rajasthan and Uttar Pradesh, the details of cases registered for illegal sand mining in wildlife sanctuary areas and their disposal during the period from 2006-07 to 2011-12 are as under:-

State	No. of cases registered during the period	Number of persons convicted and punished with imprisonment extending upto three years or with fine extending upto Rs. 25000/-	Status of the remaining cases
Madhya Pradesh	311	0	The cases are still pending in various courts having jurisdiction on the subject matter.
Rajasthan	367	286	Offences have been compounded by the competent officers in the State Government in respect of 286 persons and a sum of Rs. 38.89

			lakhs realized as compounding fee.
Uttar Pradesh	56	14 persons (in 4 cases)	Offences have been compounded by the competent officers in the State Government in respect of 14 persons (in 4 cases) after releasing a total fine of Rs.15,500/-

The Ministry also submitted :-

"The Ministry of Environment & Forests has received a Writ Petition No. 92/2009 (PIL) Hon'ble High Court of Madhya Pradesh Bench at Gwalior filed by Shir Avdesh Singh Tomar V/S State of Madhya Pradesh & ors mentioning that illegal sand mining is taking place inside National Chambal Sanctuary. Hon'ble Court while hearing the matter had directed that opinion of the National Board for Wildlife be obtained before taking a final decision. The matter accordingly, was placed before the Standing Committee of NBWL in its 20th meeting held on 13th October 2010. The Standing Committee decided that views of the members could be obtained and an affidavit be filed before the Hon'ble High Court. Accordingly, the views of the members of the Standing Committee of National Board for Wildlife have been sought for filing of an affidavit before the Hon'ble High Court."

63 While updating the status of the affidavit to be filed before the Hon'ble High Court, Madhya Pradesh, the Ministry of Environment & Forests in a subsequent written reply stated as under:-

"The affidavit after incorporating the views of members has been filed before the Hon'ble High Court of M.P., Gwalior Bench. Final order of Hon'ble High Court is awaited."

64 On being specifically asked about the opinion / views given by the members of the Standing Committee of National Board for Wildlife for banning the illegal activities in the Chambal area, the Ministry of Environment & Forests furnished in a written reply as under :-

"The opinion of the members of the National Board for Wildlife is that, the National Chambal Gharial Sanctuary (M.P.) was created for the conservation and preservation of important fresh water species such as Gharial, Gangetic River Dolphin and Smooth-coated otter. The sand banks / bars / spits are

important resting and breeding sites for the gharial, mugger, nine species of fresh-water turtles, and ground-nesting birds like the Indian Skimmer, Black-bellied Tern, Little Tern, Small Pratincole, Thick-knee, etc. The Gangetic River Dolphin has also been declared as National Aquatic Animal. Therefore, conservation of all these species and their habitat in Gharial Sanctuary is a matter of national importance."

65 When the Committee asked about the reasons for 'Nil' conviction as against 311 offenders reported by the State Government of Madhya Pradesh, the Ministry of Environment & Forests in a written reply stated :-

"The lack of adequate enforcement machinery including frontline staff is often quoted as a bottle-neck in management and protection of Protected Areas including controlling illegal sand mining activities. However, the concerned State Governments have been requested to submit appropriate justification in the matter. The comments are still awaited."

66 Furnishing the details of persons who have committed second or subsequent offence related to illegal Sand Mining and who have been awarded 7 years imprisonment/punishment with the fine of Rs. 25,000/-, the Ministry of Environment & Forests in a written submission stated :-

"The provisions of the Wild Life (Protection) Act, 1972 including those in respect of unlawful mining in sanctuaries notified under the Act are implemented by the concerned State Government. As per the information received from the State Governments of Madhya Pradesh, Rajasthan and Uttar Pradesh, the details of persons who have committed second or subsequent offences relating to illegal sand mining in wildlife protected areas, are as follows:

State	Details of persons who committed second or subsequent offence
Madhya Pradesh	List of persons is given here under
Rajasthan	Nil
Uttar Pradesh	Nil

No person has been awarded seven years imprisonment and fine of Rs.25000/-. All the cases in respect of Madhya Pradesh are pending in courts having jurisdiction to try the offence.

Details of persons in the State of Madhya Pradesh who committed second or subsequent offence relating to illegal sand mining in National Chambal Sanctuary (NCS) area:

S. No.	Name of offender{s}	Offence	Remark
1.	Vakil Singh S/O Shri Jwala Singh Gurjar, Residence- Village Gadora- Tehsil- Morena	Illegal removal of sand from NCS and its transportation	Repetition of offence/ Both times vehicle seized. In one case court has given tractor on <i>Supurdnama</i> .
2.	Keshav Singh S/O Shri Amar Singh Residence- Village Nayakpura, Tehsil - Morena	Illegal removal of sand from NCS and its transportation	Repetition of offence/ Both times vehicle seized and in possession of Forest Deptt.
3.	Suresh S/O Shri Patiram Gurjar Residence- Village Gadora , Tehsil- Morena	Illegal removal of sand from NCS and its transportation	Number of 2 Trucks were seized on same date, and the same are in possession of Forest Deptt.
4.	Punjab Singh S/O Shri Ramhet Singh Gurjar, Residence- Village Piprai, Tehsil- Morena	Illegal removal of sand from NCS and its transportation	Number of 2 Trucks were seized on different dates. Offenders were able to take away the seized vehicles. Both the vehicles are still missing.
5.	Ajab Singh S/O Shri Omkar Singh Gurjar, Residence- Village Bhansora - Tehsil- Morena	Illegal removal of sand from NCS and its transportation	Repetition of offence/ Both times vehicle seized, and in possession of Forest Deptt.
6.	Prabhu Singh Tomar S/O Shri Mahesh Singh Residence- Village Ratanbasai, Tehsil- Ambah Distt- Morena	Illegal removal of sand from NCS and its transportation	2 tractors were seized on the same date.

67 The Committee desired to know categorically as to whether any action has been initiated against any State / UT Government official for violation of the provisions of the Wild Life (Protection) Act, 1972, the Ministry of Environment & Forests in a written reply stated :-

"Ministry of Environment and Forests, Government of India or State Governments of Madhya Pradesh, Rajasthan and Uttar Pradesh have not initiated action against any State/UT Government official for violation of the provisions of the Wild Life (Protection) Act, 1972. However, departmental proceedings have been initiated against 11 officers/officials of the Government of Madhya Pradesh under Madhya Pradesh Civil Services (Classification, Control and Appeal) Rules, 1966 for lapses related to the conduct of cases of forest offences."

68 As regards the prevalence of any effective action plan or monitoring Mechanism to stop illegal Sand Mining especially in notified Wildlife Sanctuary Areas, the Ministry of Environment & Forests in a written reply submitted :-

"However, under the provisions of the Wild Life (Protection) Act, 1972, it is the duty of the concerned State Government to implement the provisions of the Wild Life (Protection) Act, 1972. The Act empowers the Chief Wildlife Warden or such officers authorized by him to take punitive action against those persons violating the provisions of the Act. There is no dedicated enforcement agency with the MoEF for the purpose of supervising enforcement."

69 When the Committee asked about the role of Central Government in such cases where State Government fails to keep check on illegal sand mining, the Ministry of Environment & Forests furnished in a written reply as under:-

"The subject matter of "Forests and Wildlife" is listed under entry No. 17 A under the Concurrent List of the Constitution of India. Accordingly, the Wild Life (Protection) Act, 1972 has been enacted by the Parliament with a view to protecting the wildlife and their habitats in the country. However, the implementation of the provisions of the Wild Life (Protection) Act, 1972 at the field level lies with the concerned State/Union Territory Governments. The enforcement of the provisions of this Act at the field level is invariably ensured through field and other functionary of the State Forest Departments. In view of this, it is the duty of the concerned State Government to implement the Act in 'letter and spirit' for which the Central Government provides supplementary financial and technical assistance."

70 As regards the steps taken to amend the Wild Life (Protection) Act, 1972 (particularly Section 29, of the existing Act) and enhancement of penalties for contravention of the provisions of the Act, the Ministry of Environment & Forests in a written reply stated :-

"The Ministry of Environment and Forests proposes to amend the Wild Life (Protection) Act, 1972 for which approval of the Cabinet has been obtained. It is proposed to substitute the present "Explanation" to Section 29 of the Act by a new explanation so as to avoid any ambiguity and to improve implementation of the Act. It is proposed in the new explanation that an activity permitted by the Chief Wildlife Warden under Section 33 or Section 11 (hunting of problematic Schedule- II, III & IV animals) or Section 12 (capture of animals for scientific research/management) or Section 24(2) (c) (exercise

of any rights permitted to be continued) or bonafide use of water by local communities would not be considered as an act prohibited under Section 29 of the Wild Life (Protection) Act, 1972.

Further, the proposal also seeks to comprehensively amend the Section 51 of the principal Act with a view to enhancing the penalties. The categories of offences, where the term of imprisonment and fine is proposed to be increased are as under:

- Offences relating to species listed in Schedule I and Part II of Schedule II and their parts and products thereof,
- Offences relating to sale, purchase, transfer, trade of species listed in Part I and Part II of Schedule II and their parts and products thereof,
- Offences relating to sale, purchase, transfer, trade of species listed in Part I of Schedule II, Schedule III and Schedule IV, and their parts and products thereof,
- Offences relating to hunting in, or alteration of boundaries of National Parks and Sanctuaries,
- Offences relating to hunting in, or alteration of boundaries of Tiger Reserve,
- Offences relating to teasing of animals, and
- Offences relating to contravention of any other provisions of the Act."

71 On being enquired by the Committee, if the views / opinion were sought from the public / non-Government Organizations / individuals to make the law more effective and transparent to avoid illegal sand mining from the prohibited Sanctuary Area, the Ministry of Environment & Forests in a written reply stated :-

"The Proposed amendment provisions were hosted on the web-site of the Ministry of Environment and Forests and also circulated to all relevant Ministries/Departments for comments. Necessary comments/suggestions have been incorporated in the proposed amendment and thereafter the amendment proposal has been finalized."

72 When the Committee desired to know if it is feasible to approach Supreme Court with a proposal to notify some area few kms. away from Ghariyal Sanctuary for giving it on lease for sand mining or leveling of land under MNREGA for cultivation etc., so that the State Government of Rajasthan and Madhya Pradesh earns revenue and also the local residents gets employment who are becoming

dacoits in the absence of other work. In response, the Chief Secretary, State Government of Rajasthan submitted before the Committee as follows :-

"Your suggestion that the uncultivated and waste land should be leveled and used in farming, is a very good one. I request that linking of it with the MNREGA or other schemes of the Union Government may be considered. Yes, Sir, it could be done. Besides, so far as the granting of lease is concerned, the high court has given its verdicts therein or the directions of the Supreme Court or under the CEC proposals have to be submitted there. There are a lot of things therein. It can't be considered so easily."

73 As regard the Sand Mining, the Commissioner, Chambal Division, State Government of Madhya Pradesh submitted before the Committee during oral evidence held on 15.4.2011 as follows :-

"Hon'ble Chairman, Sir, as the Hon'ble Member has said the difficulty of Chambal about the sand is genuine. Earlier, when Supreme Court's taboo was not there, mining leases were given to the Mining Corporation. At that time, the sand's rates were cheap and the sand's mining was done according to the rules but since the issuance of the instructions of the Ministry of Environment and Forests, the mining of the sand has been legally banned. It is a fact that the sand mining is still done this or that way. In this regard, the Government endeavors to cooperate with the force police to the extent it can.

He further supplemented :-

In this context, I would like to tell that the Government of Madhya Pradesh had earlier formulated schemes on granting leases near the banks of the Chambal river. About seven eight years ago, some people were granted leases but some of leases were granted in forest area. When this matter was raised through the public interest litigation, those leases were subjected to revision and then cancelled but, the departmental enquiry has been initiated against those who were the defaulters therein."

74 As regards, leveling of land under MNREGA, the Commissioner, Chambal Division, State Government of Madhya Pradesh further submitted before the Committee during oral evidence held on 15.4.2011 as follows :-

"I would like to tell a very interesting fact about MNREGA with reference to Bhind and Morena. It is a labour oriented scheme. As per its guidelines durable and permanent assets should be developed. Its sixty percent may be

spent on labour input and forty percent on material cost. Cost incurred on ground leveling is so much that it is very difficult. Therefore, after completing survey seeds of forest babools have been spread before ten to twenty years. I have seen on many places such as Dholpur, Karali, Morena, Bhind and Shivpuri. I have been there for two years. Some private players also had applied to carry out work of ground leveling. They were given lease of 2000-3000 hectares of land. Regarding this some conditions were prescribed. Anyhow, they could do levelisation only in two hundred fifty and or three hundred hectares of land during four years. When we talk with them on this matter they say that they are not getting any profits in this work.

75 On being pointed out by the Committee that in the Chambal area employment generating this amount is also not available, the witness clarified as follows :-

There is a lot of employment opportunities in Chambal. Our fund in MNREGA about 200 crores is lying dump. You will be surprised to know that population of Morena district is about 21 lakhs but even in peak period hardly 5000 labourers are available. They demand licences for arms and ammunition so that they can may work in security services in ---- and other places but are not ready to work as labourers. This is a local problem and also culture of this area. I had requested Ministry of Rural Development of Union Government to allow use of machines. In construction of dam use of machines should be allowed. But there is bottleneck and hindrance in the scheme. Something should be done on this and if you make efforts some solution will come out.

For leasing of land for Sand Mining, he submitted as follows:-

That around one km or perhaps 10 km area from centre of river Chambal may not be given on lease and in remaining areas leases have been given. If you point out any problem of any particular village we will attend that. For this if we have to go to Union Government we will go. And if we have to go to Supreme Court we will go."

Rural Electrification Projects under (RGGVY)

76 On being specifically enquired by the Committee about the provisions made to allocate the power from the Central Generating Stations particularly for catering to the needs of the local people, living in the districts namely Dholpur, Karauli and Sawai Madhopur-Kota, the Ministry of Power in a written reply stated as under :-

"Ministry of Power makes allocation of power from the Central Generating Stations to the States as a whole and not to any specific area within a State. The concerned State Government/ Power Utilities in the State are responsible for supply of electricity to various areas in the State by making use of the power available to them from their own generating stations and Central Generating Stations as well as import of power from other States/ Utilities/ Trading Licensees/ Power Exchanges. Presently, Rajasthan has been allocated 2,043 to 2,128 MW power from the Central Generating Stations. A capacity addition target of 78,700 MW had been fixed for the 11th Plan period, on All India basis, based on the available resources and preparedness for the generation projects. The target has been revised to 62,374 MW at the time of mid-term appraisal carried out by the Planning Commission. This includes, 3,170 MW capacity addition in the State of Rajasthan in the Central, State and Private sectors and 1,630 MW capacity addition in the State of Madhya Pradesh in the Central, State and Private sectors during the 11th Plan. Out of this, projects aggregating 2,235 MW in Rajasthan and 1,230 in Madhya Pradesh have been commissioned so far."

77 During the course of oral evidence, the Secretary, Ministry of Power explained that the Rural Electrification Programme, centrally sponsored programme is launched in all the districts in 2005 where 90 per cent of the total expenditure is borne by the Central Government. All the districts of all the States or most of the States are participating in the programme. There may be other programmes where, if a State wants, it can participate..... it may not be possible for me to get a State to actually participate in the programme.

78 On being asked by the Committee about the progress made in Rural Electrification under RGGVY Programme in the State of Rajasthan, the Ministry of Power submitted that the Government of India launched RGGVY in March, 2005, to electrify over one lakh un-electrified villages and provide free electricity connections to 2.34 crore rural BPL households. As per an overview of physical and financial progress of the work under RGGVY in respect of Rajasthan during the 10th Plan the achievement in the number of connections to the BPL households was 475633

(68%) against the target coverage of 699951 households. During 11th Plan (till 30.9.2010) the achievement is 341914 (32.6%) against the target of 1050167 households."

79 When the Committee desired to know about the reasons for low achievement of targets and steps taken to improve the situation, the Ministry of Power furnished in a written submission :-

"40 RGGVY projects have been sanctioned for Rajasthan of which 25 were sanctioned during X Plan and 15 during XI Plan. 33 (23 in X Plan+10 in XI Plan) projects are being implemented by the State Distribution agencies and 7 (2 in X Plan+ in XI Plan) projects are being implemented by Powergrid. Powergrid has completed both the projects of X Plan. The X Plan projects being implemented by the State agencies are also nearing completion. As intimated by the State wide letter dated 16.05.2008, the actual coverage of BPL connections will be 4.34 lakh against 5.99 lakh under projects being implemented by State Agencies. Thus, only 5.34 lakh BPL households (including 1 lakh BPL households in Powergrid projects) would be available for connections under X Plan projects against which 4.76 lakh (89.3%) BPL connections have been released under X Plan projects as on 15.10.2010. Powergrid has released 95357 connections against 100000, which is 95.3%. The progress under XI Plan projects has picked up during the current year. The initial progress was slow due to the reasons that hamlets/dhanis are scattered and dispersed and remotely situated. Government of Rajasthan vide letter dated July 28, 2009 has informed that under 10 projects being implemented by the State agencies, only 4.49 lakh BPL connections will be available against sanctioned 8.09 lakh connections (copy of the letter attached). Under XI Plan projects, 3.43 lakh connections have been released against estimated available 6.89 lakh, i.e. 4.49 lakh under 10 projects of State agencies and 2.4 lakh under 5 projects of Powergrid (total sanctioned 10.5 lakh) connections i.e. 49.8%. With the increased pace of implementation all the projects are expected to be completed within 2010-11. Against a target of 1.33 lakh BPL connections during 2010-11, 1.17 lakh connections have been released as on 15.10.2010. Regular monitoring of progress under RGGVY is being done by the Ministry of Power and REC."

80 The Committee, when specifically, desired to know about the targets fixed vis-à-vis their achievements and the time taken to fully achieve the targets, the Secretary, Ministry of Power submitted before the Committee during oral evidence held on 3.11.2010 as follows :-

"In Dholpur District the Projects were sanctioned in two parts. First part was taken during Tenth Plan. In that 162 un-electrified villages were there and this work is complete. There 1455 connections to BPL were to be given. Second part for Dholpur District was sanctioned in Eleventh Plan. Under this 131 un-electrified villages were to be taken, out of which work related to 46 villages have been completed so far. This is State Government's information similarly for other villages like Dholpur, Karoli, Kota etc."

You had asked for Rajiv Gandhi Gramin Vidutikaran Yojana (RGGVY), we started it in the year 2005, then it was for five years. There were some difficulties in between. It was for only 2 years when it was sanctioned in Tenth Plan in the year 2005. When any programme is shifted from Tenth Plan to Eleventh Plan, then it goes to peer review, which takes time. Its permission was given in the starting of the year 2008. It means not much work could be done in the year 2007-08. By March, 2008 we picked up the speed again and we think that those projects which have been sanctioned we will complete these projects by the year 2011-12. It is also pertinent to mention here that the districts and States included in the projects are such areas where no work has been done earlier. Therefore, there were problems in carryout the works. This project is also very difficult. The project this time is to provide electric connections to households whereas in most of the earlier programmes, we were focusing on getting a village electrified by whatever definition you had at that point of time. By and large, such a massive programme for the first time was started with a focus only on household electrification. That is why you will see that in 2005, when you looked at the household unelectrified and the villages unelectrified, the percentage of villages unelectrified was not too much; it was just 15 per cent whereas the percentage of household unelectrified was 56 per cent. So, the household electrified was not much of a focus in most of our programmes. But given the difficulties, given the time it takes, given the fact that a large number of vacancies execute these programmes, we expect that by 2011-12, we should be able to complete this; and that is a reasonable time."

81 The Committee were further apprised of the latest status as obtaining in the matter during the sitting of the Committee held on 15.4.2011 as follows :-

"Sir, there is a mention in the petition about four districts, namely – Dholpur, Karoli, Swaimadhapur and Kota. About revenue villages in his area if we see, we would find that there are 2165 revenue villages. Panchayat Samitis are known as the area of dang. Out of them, 2051 villages are inhabited and the rest are con inhabited. In 2005, when the Rajiv Gandhi from Vidutikaran Yojana (RGGVY) was formulated, the situation such that 2051 villages were inhabited and 104 were un-inhabited. Out of 2051 villages, 1610 were already electrified. Out of them, 439 villages were to be electrified under RGGVY and the ARAP that was introduced earlier in Dholpur. So far, 290 out of 439 villages across the entire area have been electrified. There were eight

villages under the Basedi and Badi Panchayat Samitis that were electrified under ARAP programme.

But, subsequently, after completion of work electrical equipments, wires etc. were stolen. In this way, the system came to an end in eight villages, namely Pali, Vanavihar, Umasa, Banpura, Gopalpura, Gohari, Sahibpure and Nayapure Radul. Now, these are not covered under any scheme and therefore, the Discom would start work again at its own level. All the villages have been electrified in Kota but there are eight such villages that fall under the forest area. So, the clearance was not obtained from the forest department, therefore, they would not be electrified under the RGGVY. When the survey was conducted, three villages came to be non-inhabited. Now, only five villages are remaining that are inhabited and have not been electrified. Since, the permission was not being granted, therefore, a project under the Remote Village Electrification Programme related to non-renewable energy was prepared and submitted under the MNRE. Once the REC notifies it under the RGGY, the project would get sanctioned RGGV Yojana is going on in Karoli and Sawaimadhopur. The works thereunder were sanctioned during 11th Plan, the remaining work is likely to be completed by September, 2011. All the revenue villages there would be electrified. The works sanctioned under RGGY were going on in Dholpur, but the pace of the work was slow. The concerned contractor was highly pressurized and then he did not carry out the work satisfactorily. At last, the Discom cancelled the tender, he was blacklisted and action taken against him. Now, process to get the work done by re-tendering is going on. It is endeavour to complete most of the work by the end of this financial year. Since there is re-tendering, therefore, may be it goes beyond this financial year to some extent."

82 On the issue, the Secretary, Ministry of Power during the sitting of the Committee held on 21.6.2012 submitted as follows :-

"Four districts of Rajasthan and three districts of Madhya Pradesh fall under the Chambal area. The work is in progress in this also. Almost two-third of the work has been completed in the un-electrified villages. Same is the case with the electrified villages also. The State Government's distribution companies are doing commendable work in providing BPL connection. We have also made efforts towards developing the infrastructure. The work of powergrid is going on in these areas and the work to release the connection would be carried out through the discom. Thus, the discom is in better position identify the families and provide connections. The two sittings of Committee have justified the work going on. The work is likely to be completed this year."

83 As regards the difference between the un-electrified and de-electrified categories of villages and intensive electrification of electrical villages, the Ministry of Power clarified the position as under :-

"Un-electrified/de-electrified village means a village, where no electricity distribution infrastructure exists. Electrification of such villages means electrification of un-electrified/de-electrified village. Intensive electrification of electrified village, where some electricity distribution infrastructure already exists, means strengthening of existing infrastructure to provide access to electricity to additional households."

84 Explaining the reasons for low achievement of targets in case of electrification of un- electrified / de-electrified villages and intensive electrification of electrified villages in both 10th and 11th Plan, the Ministry of Power in a written reply stated as under :-

"Out of 1705 un-electrified/de-electrified villages targeted under X Plan projects, 1645 have been electrified. Balance 60 villages have been found to be under forest area and are un-populated (refer letter dated 16.05.2008 from MD, JVVNL) during implementation of the projects. Thus, 100% villages under X Plan projects have been electrified. The intensive electrification under X Plan has also been completed in most of the districts. The cumulative achievement is 96.5%.

Progress under XI plan projects is slow as hamlets/dhanis are scattered and dispersed and remotely situated. 59.7% of un-electrified/de-electrified villages have been electrified and 41% of electrified villages have been intensively electrified. All the projects are scheduled to be completed during 2010-11."

85 On being asked by the Committee about the criteria followed to shortlist a particular BPL family in a particular village to whom electricity connection is to be provided under the two categories as mentioned above, the Ministry of Power in a written submission stated :-

"BPL households exist in both categories of villages and free electricity connections are being provided to BPL households in un-electrified and electrified villages as well. The BPL list is finalized by the State Government

and approved by Ministry of Rural Development and Planning Commission for extending the benefits to BPL households under Central Schemes."

86 On being asked by the Committee to justify the release of more connections as compared to targets fixed during 10th Five Year Plan in case of BPL household connections under Rajiv Gandhi Grameen Vidyutikaran Yojana (RGGVY) Scheme, the Ministry of Power in a written reply stated :-

"Under Dholpur project of X Plan, it was targeted to release 1455 BPL connections against which 1759 connections have been released. The actual number of BPL households, found eligible as per the BPL list prepared by the State Government, connections were more than the estimated numbers. In other project areas, the actual numbers were less than estimated under X Plan. The number of BPL households in the projects areas is decided by the State Government. Since, some BPL households may have been provided connections, from the time to DPR preparation and sanctioned and projects were awarded, the actual number of BPL households provided free connections under the scheme may be less than the figure given in DPRs."

87 As regards the availability of almost half the number of BPL connections i.e. only 4.49 lakh against the sanction of 8.09 lakh connections (11th Plan projects), the Ministry of Power submitted in a written reply :-

"Against a initial coverage of 17.50 lakh BPL households in all 40 projects of 10th and 11th plan, the Discoms of Rajasthan have revised their target to 11.26 lakh based on field survey. Out of that as on 31st March, 2011, connections to 9.57 lakh BPL households have been provided.

Regarding the reason for reduction in number of BPL connections, the Discoms of Rajasthan has stated as under:

- (a) Under 10th Plan, against a sanction of 6.99 lakh BPL households, only 4.49 Lakh BPL households could be found eligible as per field survey and out of that connections to 4.83 lakh BPL households have been released.
- (b) Under 11th Plan 15 projects were sanctioned covering 10.50 lakh BPL households whereas only 6.43 lakh BPL households could be found eligible as per field survey against which 4.66 lakh BPL households have been electrified and balance 1.77 lakh BPL connections will be released by March 2012."

88 The Committee asked about the steps being taken by the Government to bridge the gap between the sanctioned and actual connections released in the Xth and XIth Plans. The Ministry of Power in a written reply submitted :-

"As submitted by the Rajasthan Discoms, a total 11.26 lakh BPL households have been found eligible for connection as per field survey. Any left over areas shall be covered in phase-II of RGGVY."

89 Justifying the unrealistic targets fixed during X and XI Plans, and the steps taken to achieve the targets fixed for X and XI Plans, the Ministry of Power furnished in a written submission as under:-

"Under RGGVY, initially projects were sanctioned in the focused states of Bihar, Rajasthan, West Bengal and Uttar Pradesh covering only un-electrified villages. After that projects covering both electrification of un-electrified villages and intensification of already electrified villages were sanctioned on first come first serve basis. Accordingly, out of total 40 projects received from Rajasthan, 25 projects of Rajasthan were sanctioned in X Plan keeping in view the overall fund allocation for X Plan period. Balance projects were considered for sanction in XI Plan after approval of continuation of the scheme in XI Plan by Government of India in February, 2008.

Considering the prescribed implementation period of 2 years from date of award, the target for financial year 2008-09 were fixed. Since, the projects of X Plan were already awarded and were in advance stage of implementation, the targets under X Plan projects were more than the targets under XI Plan projects."

90 When the Committee desired to know about the actual number of eligible BPL households as per the BPL list prepared by the State Government and of these the estimated numbers of connections released during Xth Plan, the Ministry of Power in a written Note stated :-

In this regard, the Rajasthan Discoms submitted the following information :-

- (a) The list of BPL households was prepared and published in the year 2002. Since then it is being updated continuously through a process of appeals.

- (b) The survey of small habitations is very vast work and takes a lot of time and resources. Therefore, initial estimation is updated based on actual survey conducted in the field.

91 Updating the status of completion of all the sanctioned Projects under the Xth & XIth Plan, the Ministry of Power furnished in a written submission :-

"As submitted by the Rajasthan Discoms, the work of all 10th Plan projects has been completed but inspection by 3rd party agency is under progress. After completion of 3rd party inspection, closure proposals will be submitted to REC. For 11th plan projects, works are under progress. Till date REC has received closure proposal for Bhilwara district project sanctioned under 10th Plan. All the projects are expected to be completed before end of 11th Plan i.e. 31st March, 2012."

92 As regards the criteria followed for distribution of the projects to be handled by the State Government Agencies vis-à-vis other Central Public Sector Undertakings such as Power Grid Corporation Ltd. (PGCL), etc. under RGGVY especially, in a situation when 90% of the total expenditure under the Yojana is borne by the Government of India, the Ministry of Power in a written reply stated :-

"As per the Rajiv Gandhi Grameen Vidyutikaran Yojana (RGGVY) guidelines, the State Government implement the projects through their state Power Utilities as per the procurement and bidding conditions prescribed by Nodal Agency, REC. However, the services of Central Public Sector Undertakings (CPSUs) have been offered to the states for assisting augment the implementation capacities for the programme, Rural Electrification Corporation (REC) Ltd. has entered into Memorandum of Understanding (MOUs) with four CPSUs viz. NTPC, PGCL, NHPC and DVC, to make available CPSUs project management expertise and capabilities to states wishing to use their services. This is being operationalised through a suitable Tripartite Agreement. The decision to utilize the services of CPSU primarily rests with the States."

93 The Committee desired to know, if any preference is given to the most backward districts i.e. which do not have the electricity by the Centre/State Governments, the Ministry of Power in a written submission stated :-

"Under RGGVY, all census revenue un-electrified villages are covered for creation of the Village Electrification infrastructure and release of BPL connections. Priority was given to projects of border districts and LWE districts. Till date 573 projects including 40 projects of Rajasthan have been sanctioned in the country and are various stages of implementation."

94 While furnishing the latest position of 33 projects (23 in X Plan and 10 in XI Plan) to be implemented by the State Distribution Agencies, the Ministry of Power in their written reply submitted :-

The Implementing agencies and the Government of Rajasthan review the progress with reference to prescribed milestones. The district Committees under Chairmanship of Districts Collector have also been formed to supervise the overall implementation of the projects. The Chief Secretary of the State heads the Coordination Committee and also review the progress periodically. Monthly review of the progress is also taken at the level of Chairman Discoms/MD Ajmer Discom/MD Jodhpur Discom. In addition to above, the progress of the projects is also reviewed by REC on a monthly basis and also by the Monitoring Committee under the chairmanship of Secretary (Power) on regular basis.

For 23 projects of X Plan, 96.35% of targets for un-electrified villages have been achieved. For 10 projects of XI Plan, 73.12% targets for un-electrified villages have been achieved. The remaining works will be completing by the end of XI Plan i.e. by 31.03.2012. (Projects being executed by State Implementing Agency)."

95 When the Committee specifically asked the details of visit of the electrified and un-electrified area by the Monitoring Committee constituted under the Chairmanship of Secretary (Power) to take stock of the projects completed during the X and XI Plan and also furnish a copy of observations made by the Monitoring Committee in this matter, the Ministry of Power in a written reply submitted :-

"Implementing Agencies have their own procedure/project management system for supervision of the works. The Monitoring Committee members do not themselves visit the villages. However, the officers of Ministry of Power and REC visit the projects from time to time. Further, to ensure quality and proper supervision of rural electrification works, a three tier quality monitoring mechanism has been introduced under XI Plan of RGGVY Projects. Under Tier-I, TPIA is required to carry out 50% verification, under Tier-II, REC

appointed Quality Monitors to carry out 10% verification and under Tier-III, MOP appointed Quality Monitors to carry out 1% verification."

96 The Committee specifically desired to know about the details of inspection of the Third Party regarding the work of all 10th Plan projects completed by the Implementing Agency i.e. Rajasthan Discom. In reply, the Ministry of Power in a written reply stated :-

"As reported by the Discoms of Rajasthan, 3rd party inspection agencies have already been appointed and inspection work is in progress."

The Discom/Government of Rajasthan need to submit a proposal to Ministry of New and Renewable Energy (MNRE) for electrification of all such 58 villages through renewable energy sources.

97 As regards steps taken by the Central/State Governments to obviate the difficulties experienced in electrifying the forest and sparsely populated areas on the top priority, the Ministry of Power in a written submission stated :-

"As per Rajasthan Discom, the villages located in forest areas have been identified and all efforts were made to get clearance from forest authorities. However, due to the difficulties experienced, efforts are being made to exclude them from the scope of RGGVY and to cover these villages through non-conventional energy resources."

98 When the Committee desired to know about the reasons for non-electrification of 60 villages during X Plan, the Ministry of Power in a written Note stated :-

"As submitted by the Rajasthan Discom, 60 villages that could not be electrified under 10th Plan schemes due to following reasons-

<u>Sl. No.</u>	<u>Name of District</u>	<u>No. of Villages</u>	<u>Reasons</u>
1.	Jhalawar	8	Became unpopulated
2.	Kota	8	7 under forest, 1 Became unpopulated
3.	Bundi	9	Under forest
4.	Bikaner	25	Became unpopulated

5.	Churu	5	Became unpopulated
6.	Jaisalmer	5	Became unpopulated
	Total	60	

These villages have not been included in 11th Plan. For the villages falling under forest, Rajasthan Discom has informed that Rajasthan Renewable Energy Authority (RREC) has been requested to electrify these villages through Non Conventional / renewable energy sources."

99 When the Committee asked about the proposal received from the concerned State to grant funds, etc. for electrification of 60 villages through the renewable energy sources, the Ministry of Power in a written reply submitted :-

"On request of Government of Rajasthan, REC has conveyed approval on 11.08.2011 to exclude the 58 such villages (2 already found electrified) from RGGVY. These villages fall in districts Kota, Bundi, Jhalawar, Bikaner, Churu and Jaisalmer of Rajasthan. However, out of these 58 villages, no village has been excluded from the scope of RGGVY for Dholpur district."

100 The Committee asked about the time by which all the villages which are still un-electrified will be electrified. In response, the Secretary (Administration), Department of Energy, Government of Rajasthan submitted before the Committee as follows:-

"Sir, as submitted earlier that in Karouli, ten villages are coming under forest area, these are to be electrified under RGGVY. We have moved to Forest Department for permission. If we will get permission, then we will do it and if we will not get permission, then we will have to take it through MNRG under renewable energy."

101 As regard the time required to complete this procedure, the Secretary (Administration), Department of Energy, Government of Rajasthan submitted before the Committee :-

"The Karoli project is likely to be completed by October, 2011. If we don't get the permission, we would go for preparing new projects to get it done through MNRE afresh. In Sawaimadhopur, four villages in Khawar area fall under forest area. If the permission in respect of these four villages is not obtained, the project would get closed and it has to be got done through the MNRE. It

is our endeavour to complete the Sawaimadhopur project by September-October, 2011. If we don't get the clearance, then we would carry it out through the MNRE. There is a little difficulty in Dholpur, tender has been cancelled, blacklisted and hence there will be a re-tendering. It is our endeavour to complete it by March, 2011 but may be it goes beyond March, 2011. Once the tender gets cleared, the situation will be clear as to whether we can do it by March, 2011 or would it go beyond that."

Observations / Recommendations

DRINKING WATER PROJECTS

102 The Committee note from the submissions made by the Petitioner that the Chambal river which connects the Dholpur, Karauli, Sawai Madhopur and Kota Districts of Rajasthan is a historical river which flows between Rajasthan and Madhya Pradesh. For the districts of Rajasthan and Madhya Pradesh, this river is the only source of water for household use and irrigation purposes. Though this river is full of water yet the Chambal area is facing acute shortage of drinking as well as irrigation of small agricultural land holdings in the area. The condition of the people living in this area is also quite pathetic. On one side the villagers of Chambal area have to face dacoits and wild animals, on the other side these people are deprived of the basic amenities which further aggravates their living conditions. The people have no access to basic needs such as drinking water, electricity and apart from this, the people residing at the banks of the river Chambal cannot even take Bajri (sand) for their Construction needs. Whenever, the Government decides to formulate any scheme for their upliftment, the Ministry of Environment & Forests and environmentalists raise objections thereto and do not show any sympathetic consideration for the people residing in these areas. The Petitioner has, therefore, requested that the Projects related to providing basic facilities such as Electricity, Water, Irrigation, Drinking Water etc. to the people living across Chambal region needs sympathetic and humanitarian consideration so that people living across Chambal region may get basic facilities of which they are deprived of even after 60 years of independence.

103 The Committee took up the matter for examination with the representatives of the Ministries of Environment & Forests, Power, Water Resources and Rural Development (Department of Drinking Water Supply) and also the State Governments of Rajasthan and Madhya Pradesh. The Committee note from the comments furnished by the Ministry of Environment & Forests on the representation that :-

- (i) There is underground water (Tube Well and Wells) for drinking water apart from Chambal River. Apart from this, there are local ponds available for irrigation purpose ;
- (ii) The adjoining areas of Chambal are forestry land. The people living in and around such areas (forestry hilly areas) have also adapted themselves to the geographic condition of the area. People in these areas are dependent on cattle farming and agriculture ;
- (iii) A distance of 1 km from the Chambal River has been declared as National Chambal Ghariyal Sanctuary under the Wildlife (Protection) Act, 1972, wherein endangered species like Ghariyal, Gangetic Dolphin, Fresh Water Turtle and birds are found. To protect the biodiversity of the area, it is required to maintain the ecological balance of the Chambal River. Any activities hampering the habitats of the Sanctuary area is prohibited. Any irrigation and drinking water Projects to be undertaken within the sanctuary area can be done only after the recommendation of the Standing Committee of National Board for Wildlife (NBWL) and approval of the Hon'ble Supreme Court ;
- (iv) As per the Section 29 of the Wildlife (Protection) Act, 1972, any destruction of the wildlife habitat and its removal for commercial purpose from wildlife sanctuary is prohibited. In addition, the Hon'ble Supreme Court vide their order dated 12.12.96 has prohibited the mining in the forest areas. Further vide order dated 14.2.2000 Hon'ble Supreme Court has banned removal of dead, dying, diseased, wind fallen trees, grasses etc from National Parks and Wildlife sanctuaries. Removal of sand from National Ghariyal Sanctuary has been prohibited by the Hon'ble Supreme Court as sand is required for nesting of the Ghariyals ;
- (v) As per the provision of the Section 19-26 of the Act, settlement of the rights in Wildlife Sanctuaries by the collector has been completed. The local people can utilize the rights conferred on

them under the Act. State Government provides compensation as per the prescribed rates to the victims of cattle lift, human injury including death caused by wild animals ;

- (vi) There is no obstacle by the Forest Department for any developmental activities outside the Wildlife Sanctuaries and forest area. With respect to the developmental Projects within Wildlife Sanctuary area, recommendation / approval as mentioned in para 4 above, is required. Similarly for any developmental Projects in forest areas approval of Central Government under Forest Conservation Act is required ;
- (vii) Illegal removal of sand is prohibited. Even after this, if sand is taken illegally, action is taken by the Department to stop such activity ;
- (viii) The proposal namely Dholpur Lift Irrigation Projects and four Hydro Power Projects (Rahu Ka Gaon, Gujjapura, Jaitpura & Barsala) were considered during the Standing Committee of NBWL meeting held on 12.4.2010 wherein it was decided to undertake a study for one year by Wildlife Institute of India, Bombay Natural History Society and World Wide Fund for India. A final decision would be taken after the receipt of the reports of the study. After the recommendation of Standing Committee of NBWL, approval of Hon'ble Supreme Court will be sought and thereafter the Projects will be implemented ; and
- (ix) Recommendation of Standing Committee of NBWL and approval of Hon'ble Supreme Court is being sought for the Projects mentioned above. The following two drinking water Projects in Chambal River have been recommended by the Standing Committee of NBWL as well as Hon'ble Supreme Court :
 - a. Chambal-Dholpur-Bharatpur Drinking Water Project
 - b. Chambal-Sawai Madhopur-Nandoti Drinking Water Project

104 The Committee note that Dang area is the most backward area in the Chambal region. Drinking Water needs of the Dang area at present are being addressed through hand pumps, the ground water resource which is not a sustainable solution because over the years the water level of Dang area has gone down considerably. It has come out during the examination of the

representation that the State Government of Rajasthan has initiated some water supply projects by using Chambal River water which include :-

- (1) Chambal-Sawai Madhopur-Nandoti Drinking Water Project
- (2) Chambal-Dholpur-Bharatpur Drinking Water Project
- (3) Dang Area Project

105 Chambal-Dholpur-Bharatpur Drinking Water Supply Project was recommended by the Standing Committee of the National Board for Wildlife (NBWL) in its sitting held on 8.11.2002 and approval of Hon'ble Supreme Court was obtained on 15.4.2005 and in case of Chambal-Sawai Madhopur-Nandoti Drinking Water Supply Project, the NBWL gave its recommendation on 8.6.2006 and the approval of Hon'ble Supreme Court was obtained on 17 October, 2008.

106 The examination of the representation has revealed that there has been considerable delay in getting the forest and environmental clearances as well as for technical clearances by Central Water Commission (CWC) thus delaying commissioning of the aforesaid Drinking Water Projects. The reasons attributed for the delay caused in the commissioning of these Projects as per the Ministry of Drinking Water & Sanitation is because, it takes about 6-7 years for Forest and Environment clearances to be obtained for Water Supply Projects-in view of the Notification of the Ghariyal Sanctuary in the Chambal region. Whereas, as per the Ministry of Environment & Forests, their role is limited to the extent of placing the proposals before the Standing Committee of National Board for Wildlife (NBWL), and thereafter communicate the

recommendation of the Standing Committee to the concerned State Government(s). The State Government(s) concerned then have to seek approval of the Hon'ble Supreme Court for diversion of the forest land of National Parks and Sanctuaries for the Projects in question and implement the Projects as per time schedule and availability of the funds for the purpose.

107 The Committee also take note of submission made by the State Government of Rajasthan that when the State Government has to use water from Chambal River it is required to take permissions from NBWL, Ministry of Environment & Forests-which causes considerable delay in the process. Further, in case of the Chambal-Sawai Madhopur-Nandoti Drinking Water Supply Project, the State Government had to seek the clearance for the design of intake well. Thus, construction of intake well got delayed pending approval of design and drawing by the Central Water Commission (CWC). Further, the work of transmission system of Chambal-Dholpur-Bharatpur Drinking Water Supply Project also got delayed pending Environment and forest clearance.

The Principal Secretary, Government of Rajasthan further submitted before the Committee that one of the major reasons causing delay is that at times the contractor leaves the Project in between and in case of Chambal - Dholpur Project after getting permission of Hon'ble Supreme Court and the Ministry of Environment & Forests as well when the work was started, one forest officer stopped the work by taking the plea that .69 Hectare of land for the Project happens to be forest land. The work was stopped and again the whole procedure was repeated which caused delay of many years.

108 The Committee, cannot but express their strong anguish over the manner in which the Drinking Water Projects of Dang Area have been dealt with by the Ministry of Environment & Forests and the concerned State Government and other Departments involved in giving clearance for implementation of these Projects. The Committee feel that had all the concerned Departments of Centre & State Governments, despite their claim of having limited roles dealt with the process of giving all technical and environmental clearances after due and proper coordination with each other, the time involved in completion of these Projects initiated with the right interest for fulfilling the need of water of the people living in the Dang area could have been saved. Taking stock of the situation as narrated before the Committee, the Committee urge that all the Central as well as State Government Departments should work in tandem from the initial stage itself of a Project till its completion. In the process, the nodal Ministry involved in Projects besides providing funds for the purpose should also invariably own the responsibility of supervision and timely completion of the Projects so as to avoid time and cost overruns in the completion of the Projects. Now when the forest and wildlife clearances in the aforesaid three Drinking Water Projects are in place, the Committee emphasize that all the initiatives should be taken so that the projects are commissioned within the stipulated timeframe. The Public Health Engineering Department, Government of Rajasthan while giving the scheduled targets for completion of these projects has stated that the targeted deadline is dependent upon the availability of funds. The Committee strongly recommend that all the Central allocations for

the completion of the projects should be made available to the State Government as these projects cannot afford further delay. The concrete initiatives in this regard should be taken and the Committee apprised accordingly.

Drinking water scenario in Chambal region as a whole

109 The Committee note from the submission made by the Public Health & Engineering Department, Government of Rajasthan that the aforesaid three ongoing Major Drinking Water Supply Projects namely – (i) Chambal - Sawai Madhopur - Nandoti Drinking Water Project (ii) Chambal – Dholpur - Bharatpur Drinking Water Project and (iii) Dang Area Project, even when completed and commissioned would be able to cater to the drinking water need of only 327 villages out of total 901 villages of the Dang Area.

110 The remaining 574 villages of Dang area at present are getting water supply through ground water resource which are not sustainable. As per the submission made by the Union Ministry of Drinking Water and Sanitation it does not seem possible to take up surface source based drinking water supply projects for the Dang area out of the available/likely allocated funds to the Department by the Financial Year 2015-16. Public Health Engineering Department of the State Government of Rajasthan sometimes during the year 2012 have requested Planning Commission to grant special package of Rs. 460 crore which can be used for water supply projects for these remaining villages of the Dang area falling in Districts Dhaulpur and Karoli. The Committee have also been apprised during the course of examination that

Planning Commission has sanctioned Rs. 138 crore as a special package for drinking water schemes for the whole State of Rajasthan.

111 While taking note of the existing drinking water scenario in Dang area especially in the Districts not covered by the major schemes which are likely to be commissioned shortly the details of which have been given above, the Committee note that financial resources are the main constraint in implementation of surface water projects in the remaining Districts. The Committee would emphasize that drinking water is the basic need of human beings and needs to be addressed on a top priority basis. The Committee, therefore, strongly recommend that the request of the State Government for release of the requisite allocation should be considered at a different dispensation particularly when it relates to the difficult and backward terrain of Chambal Region. As such, Rs.460 crore as projected by the State Government for covering the remaining Chambal area should be released expeditiously. Moreover, Chambal Region should be given priority while allocating funds out of the special package of Rs. 138 crore granted during the year 2012-13 and future such packages for the drinking water needs of the Rajasthan State as a whole. The concerns of the Committee in this regard should be placed before the Planning Commission. The Committee would also like to be apprised of the progress made with regard to the various drinking water projects of the Chambal area within three months of the presentation of this report.

112 The Committee would also like to emphasize that while formulating drinking water schemes for the remaining areas it should be ensured that the various issues related to forest and wildlife and technical clearances are taken up simultaneously with the concerned Organizations/Ministries/Supreme Court in a holistic manner so as to avoid delay in such clearances. Besides, the Committee also recommend that the issues of forest and wildlife clearances for the difficult and remote areas like Chambal especially the works related to giving environmental clearance for repairing of motorable roads in this remote area need to be treated at different footing by the Ministry of Environment & Forests so that these clearances are in place in the minimum required period for expeditious implementation of various developmental projects.

Chambal – Panchna Jaggar Lift Pariyojana

113 The Committee note that the proposal pertaining to Chambal-Panchna Jaggar Lift Pariyojana was received by the State Forest & Wildlife Department, Rajasthan on 15.12.2007. Since the proposal had shortcomings, it was returned back to the Executive Engineer, Water Resources, Karouli with the request to provide correct information in respect of the proposal. The Committee further note that the concerned officer was requested to provide further information in October, 2010.

114 The Committee note that the Water Resources Department, Karoli never responded to the matter presuming that the aforesaid project would not be considered in view of a decision taken by the National Board for Wildlife

whereby no projects were to be taken in the Chambal area as every year three per cent water was decreasing. The Committee are however pleased to note that the Union Ministry of Environment and Forests has taken a positive stand when the issue was raised by the Committee. The said Ministry agreed that Chambal is a very backward area and people there are suffering due to acute scarcity of drinking water.

115 The Committee deplore the way the State Water Resources Department dealt with the issue and chose not to provide the further requisite information as desired by the State Forests and Wildlife Department, Rajasthan thus leaving the project pending since 2007. On the part of the State Forests Department they too did not bother to pursue with the Department of Water Resources to furnish the requisite clarifications thus depriving the general public of the benefit of drinking water resources that would have reached by implementation of the project. Now, when the Union Ministry of Environment and Forests has agreed to consider the issue, the Committee strongly recommend that all the required steps should be taken within one month for seeking clearance / approval of the Project by the State Department of Water Resources and Wildlife as well as the Union Ministry of Environment and Forests so as to ensure completion and commissioning of the Project for the benefit of the people of Chambal area in a time bound manner.

Dholpur Lift Irrigation Project and 4 Hydro Power Projects

116 The Committee desire that since the four Hydel Projects viz. Rahu Ka Gaon, Gujjapur, Jaitpur and Barsala being less than 25 MW size do not require

the approval of Ministry of Power or its agencies, these Projects should be accorded top priority by the State Government. In the opinion of the Committee the necessary steps taken in time for the purpose would also take care of cost over-run of the Projects. The Committee, therefore, recommend that much needed co-ordinated and concerted efforts should be made by all the concerned agencies / Authorities viz. Ministry of Environment & Forests, Ministry of Water Resources, Ministry of Power and Government of Rajasthan to remove the bottlenecks involved so that the benefits of these projects reach in time to the people of Chambal River Basin and their needs both on the Irrigation and electricity front are met. The Committee would like to be apprised of the progress made in this regard within three months after presentation of this Report to Lok Sabha.

Major/medium Projects and Minor Irrigation Schemes in Rajasthan under Accelerated Irrigation Benefits Programme (AIBP)

117 The Committee note that 3 schemes in Madhya Pradesh covering the areas of Mandsaur, Chamal, Betwa, Sindh, Ken and Tons sub-basin, Shivpuri, Gwalior and Guna having irrigation potential of 517955 hectare (ha) and 6 schemes in Rajasthan covering the area of Sawai Madhopur, Karauli, Dausa, Bharatpur, Jhalawar, Baran and Kota having irrigation potential of 247996 ha have been initiated / submitted for appraisal to CWC. The Committee, however, note with concern that some of these Projects / schemes of irrigation viz. Bhanpura Canal Scheme in the State of Madhya Pradesh and Pipalda Lift Irrigation Scheme in Rajasthan are awaiting appraisal of the CWC for more than 10 -12 years. As these Schemes are vital for the sustenance of the people

of Madhya Pradesh and Rajasthan, these can not be kept pending indefinitely with the CWC for appraisal and approval.

118 The Committee therefore, recommend that the Ministry of Water Resources/Central Water Commission should initiate the process of appraisal of these schemes on war-footing in consultation with the State Governments of Madhya Pradesh and Rajasthan so that the Projects / Schemes of irrigation could be commissioned at the earliest. The Committee would like to be apprised of the conclusive action taken in this regard.

119 The Committee note that the Accelerated Irrigation Benefits Programme (AIBP) is a Centrally Sponsored Scheme under which Central assistance is provided to the State Governments for expeditious completion of ongoing Major/Medium and Surface/Water Minor Irrigation Projects in a scheduled time frame and to create Irrigation potential *inter alia* in the drought prone/tribal areas. The AIBP is comprehensively monitored by the concerned State Government and the Central Water Commission. The Committee find that out of 10 Major/Medium Projects of Rajasthan, 7 Projects have already been completed and 3 Projects viz. Indira Gandhi Nahar Pariyogana Phase II, Narmada Canal and Modernization of Gang Canal are ongoing.

120 The Committee are satisfied to note that on the recommendations of the Ministry of Water Resources, the Ministry of Finance released Rs.3,375 crore for Modernization of Gang Canal project and Memorandum of Understanding (MoU) was entered into by the Government of Rajasthan with the Ministry of Water Resources. The Project was scheduled to be completed by 2012-13.

The Committee hope that these projects would have been completed by now. The Committee would like to be apprised of the status in this regard.

The Committee however, express their displeasure that the other two Projects viz. Indira Gandhi Nahar Pariyojana Phase II and Narmada Canal have hit the procedural hurdle and the completion schedule has not been adhered to due to shifting of responsibilities by the Ministry of Water Resources on State Government of Rajasthan which reportedly has not entered into revised MoU with the Ministry of Water Resources. In the considered opinion of the Committee these two ongoing Projects can be termed as lifeline of these areas. The Committee would, therefore, recommend that the Ministry of Water Resources should play a pro-active role and impress upon the Government of Rajasthan to enter into revised MoU and thereafter approach the Ministry of Finance for releasing sufficient funds for the expeditious completion of ongoing two Projects meant for providing livelihoods and Irrigation facilities to the people and also keeping in view the economic development of the region.

121 The Committee are, further happy to note that a total number of 42 Minor Irrigation (MI) Schemes in the Chambal basin of Madhya Pradesh have been included under AIBP. The potential of these planned Schemes is 11846.91 ha and out of which 20 MI Schemes have been completed as on 26.10.2010 and an Irrigation potential of 3403.17 ha has been created. The Committee desire that the Ministry of Water Resources should facilitate the expeditious completion of the remaining 22 MI Schemes in consultation and co-ordination with the State Government of Madhya Pradesh.

122 As regards the MI Schemes of Rajasthan, the Committee find that 6 MI Schemes namely Anwa, Kishorpura, Semli Phatak, Ladpura, Danta and Bhimni in Chambal Basin have been included under AIBP and MoU signed by the State Government with the Ministry of Water Resources, these MI Schemes were scheduled for completion in 2011-12. However, the Committee are constrained to note that 4 out of 6 MI Schemes viz. Anwa, Kishorpura, Ladpura and Danta have been delayed due to non-clearance from the Ministry of Environment & Forests.

123 The Committee, therefore, earnestly urge the Ministry of Environment & Forests that necessary procedural formalities should be expeditiously completed and these pending schemes should be given requisite clearances for sustainable development of the people of Chambal Basin-who had already suffered a lot since independence due to poor availability of Irrigation facilities.

124 The Committee are, however, surprised to note that no Major/Medium Irrigation Project has been approved / sanctioned for people living across the Chambal Region with a view to exploit the available surface water potential. The Committee are, therefore, inclined to recommend that the Government of Rajasthan should identify and formulate the proposal for construction of various Major and Medium Irrigation Schemes and approach the Ministry of Water Resources/Central Water Commission for obtaining the requisite approvals.

Sand Mining in Chambal Area

125 The Committee note that the Ministry of Environment & Forests has constituted a National Tri-State Chambal Sanctuary Management and Coordination Committee for the coordinated management of the Chambal Sanctuary in the three States of Madhya Pradesh, Rajasthan and Uttar Pradesh in a participatory mode and also by involving all the stakeholders, with a view to preserve the ecological integrity of the Chambal River ecosystem, which has a direct bearing on the livelihood security of the local communities.

126 The Committee further note that financial assistance to National Chambal Ghariyal Sanctuary in Madhya Pradesh, Rajasthan and UP has been provided under the Centrally Sponsored Scheme of 'Integrated Development of Wildlife Habitats'.

127 The Committee were informed that the Wild Life (Protection) Act, 1972 prohibits any destruction including mining of and damage to the areas of the Wild Life Sanctuaries and other Protected Areas. Any person who contravenes any provisions of this Act or the rules made there under, is punishable with imprisonment for a term which may extend upto 3 years or with fine which may extend to Rs.25,000 or with both. In case of second or subsequent offence of the aforesaid nature, punishment prescribed is imprisonment of 3 years which may extend upto 7 years and also with fine which shall not be less than Rs.25,000. Hon'ble Supreme Court has vide their order dated 4th August 2006, prohibited mining both inside as well as within 1 Km outside from the boundaries of the National Parks and Sanctuaries.

128 The Ministry of Environment & Forests informed the Committee that Provisions of the Wild Life (Protection) Act, 1972 read with the orders passed by Hon'ble Supreme Court from time to time are adequate to effectively control the illegal Sand Mining in Sanctuary areas. The implementation of the provisions of the Act as well as the orders of the Hon'ble Supreme Court is the responsibility of the concerned State Governments. The Ministry of Environment & Forests renders only technical and financial assistance to the State/UT Governments for the better protection and conservation of Protected Areas.

129 The Committee are, however, surprised to note that despite provision of the Wild Life (Protection) Act, 1972 and orders of the Hon'ble Supreme Court, sporadic incidents of illegal Sand Mining have been reported/ detected in prohibited areas whereas action against the convicts has not been taken as per the provisions of the Act. From 2006-07 to 2011-12 in Madhya Pradesh out of 311 registered cases of illegal Sand Mining, no person could be convicted and all the cases are reported to be still pending in various courts having jurisdiction in the matter. In Rajasthan out of 367 cases reported, offences have been compounded in respect of 286 persons and a sum of Rs 38.89 lakh was realised as the compounding fee, whereas in case of UP out of 56 reported cases of illegal Sand Mining, offences have been compounded in case of 14 persons (in 4 cases) after realising only a meagre sum in the form of a fine to the tune Rs.15,500.

130 The Committee further note that the Ministry of Environment & Forests has received a Writ Petition No. 92/2009 (PIL) in Hon'ble High Court of MP Bench mentioning that illegal Sand Mining is taking place inside National Chambal Sanctuary. Hon'ble Court while hearing the matter had directed that opinion of NBWL be obtained before taking final decision. The Standing Committee of NBWL in its 20th meeting held on 13 October, 2010 decided that views of the members could be obtained and an affidavit be filed before the Hon'ble High Court. Accordingly, after taking opinion of Members of NBWL an affidavit has been filed before the Hon'ble High Court of MP, Gwalior Bench and final order of court is awaited.

131 The Committee note that in the opinion of the Members of the NBWL taken in the matter the National Chambal Gharial Sanctuary (M.P.) was created for the conservation and preservation of important fresh water species such as Gharial, Gangetic River Dolphin and Smooth-coated otter. The sand banks / bars / spits are important resting and breeding sites for the gharial, mugger, nine species of fresh-water turtles, and ground-nesting birds like the Indian Skimmer, Black-bellied Tern, Little Tern, Small Pratincole, Thick-knee, etc. The Gangetic River Dolphin has also been declared as the National Aquatic Animal. Therefore, conservation of all these species and their habitat in Gharial Sanctuary is a matter of national importance.

132 The Committee while appreciating that conservation of species and their habitat in Gharial Sanctuary is a matter of national importance, feel that the Ministry of Environment & Forests has been abdicating its responsibility-

by stating that it only renders technical and financial assistance to the State/UT Governments for the better protection and conservation of the Protected Areas and that enforcement of the Wild Life (Protection) Act, 1972 is essentially the responsibility of State/UT Governments. The Ministry has also submitted that the Chief Wildlife Wardens are fully competent to deal with the offences under the provisions of the Act and there is no dedicated enforcement agency with the Ministry of Environment & Forests for the purpose of supervising enforcement. The Committee are, however, dismayed to find that the provisions of the Act should have been scrupulously followed by the Ministry in co-ordination with the State Government so as to keep check on the increasing cases of illegal Sand Mining and also to discourage the convicts involved in illegal Sand Mining-who have dared to repeat their offence, as reported in many cases in the State of M.P.

133 The Committee are, however, convinced to note that the Ministry of Environment & Forests has initiated steps to amend the Wild Life (Protection) Act, 1972 for which approval of the Cabinet has been obtained. It proposes to substitute the present "Explanation" to Sec. 29 of the Act by a new explanation so as to avoid the ambiguity and to improve implementation of the Act. Further, the proposal also seeks to comprehensively amend the Section 51 of the principal Act with a view to enhancing the penalties. The proposed amendment provisions had been posted on the Web-site of the Ministry of Environment and Forests as well and also circulated to all relevant Ministries / Departments for their comments. Subsequently, the necessary comments / suggestions have been incorporated in the proposed amendment and the

amendment proposal has been finalized. The Committee recommend that now when the amendment has been finalised, the concrete proposal in the form of the Bill should be introduced in Parliament expeditiously.

134 The Committee may further like to emphasize that besides making the existing provisions more stringent it is utmost necessary that the existing provision are adequately enforced so as to check the Illegal Sand Mining. For strict compliance and enforcement of the provisions of the Wild Life (Protection) Act, 1972, the Government should have a dedicated enforcement agency-in the absence of which the very aim of framing and amending the Act is being defeated as number of offences have been found to be on the increase. The Committee would recommend that the Government should as far as possible take all steps to ensure that the pending cases are disposed of in a time bound manner and the convicts are punished in accordance with the provisions of the Act.

135 The Committee also feel that besides taking timely action in the matter, the Ministry of Environment & Forests in co-ordination with the State Government of Rajasthan should also initiate steps for giving land on lease to the local people living beyond the Restricted areas in the Chambal as this would help the locals of Chambal area to earn their livelihood by involving themselves in the process of bidding for the land for the purpose of Sand Mining legally instead of resorting to illegal Sand Mining activities in connivance with the local land mafias. This would also provide local market for sand which happens to be the most essential ingredient to carryout the

construction activity by the local people. The aforesaid process would also help the Government to earn revenue and help in controlling the illegal Sand Mining activity to some extent. The Committee would therefore, like to recommend that the Ministry should frame effective law and transparent guidelines for leasing of land beyond the Prohibited / Restricted area of the Ghariyal sanctuary. The Committee would like to be apprised of the conclusive action taken in this regard.

136 The Committee further note that the main reason for the backwardness and dacoity activities in the Chambal area is unemployment, which is mainly because it is a dense forest area-having mountains and terrains and very less land for cultivation. The Committee are of the view that if these forest areas or rocky surfaces are leveled it will become possible for the people living in the Chambal area to cultivate this leveled land or use the same for setting up small industry and earn their livelihood. The Committee were informed by the State Government of Madhya Pradesh that approx. Rs.200 crore fund released under MGNREGA has been lying unutilized in MP because people are not coming forward for leveling activity because it is very difficult to do so manually due to dense forest and rocky area. The Committee, therefore, recommend that for utilization of funds under MGNREGA, the Government should initiate such schemes under MGNREGA so that leveling of the land by machines is permitted, which is otherwise very difficult to do manually. By doing so, the youth will be motivated to come forward to work and not resort in dacoity and illegal Sand Mining, etc. This will, in turn, help them to earn their livelihood under MGNREGA and would also prepare land for cultivation

or setting up of some small industry. The Committee feel that this will be the best and optimum use of MGNREGA funds lying unused. Moreover, this will help in prevention of dacoity activities from that area, which will gradually help in the overall development of the Chambal region. The Committee would like to be apprised of the action taken in this regard.

Electrification of villages in Rajasthan under RGGVY

137 The Committee note that Rajiv Gandhi Grameen Vidyutikaran Yojana (RGGVY) was launched by the Government of India in March, 2005. The main object of the scheme is to electrify over one lakh, Un-electrified Villages and also to provide free electricity connections to 2.34 crore to the Rural BPL Households. Under this Scheme, 90% cost of the scheme is being provided in the form of grant and 10% by way of loan by the Government of India. The Rural Electrification Corporation (REC) has been designated as the Nodal Agency for implementation of this scheme. The Committee also note that during the 10th Plan against the target coverage of 699951 Households, only 475633 PBL households could be permitted electricity connections-thereby achieving 68% of the target. Similarly, during the 11th Plan (till 30.09.2010) the achievement was 341914 (32.6%) against the target of 1050167 households. The Committee note that the Government of India had sanctioned 40 RGGVY Schemes for Rajasthan out of which 25 were sanctioned during 10th Plan and 15 during 11th Plan. The main reason adduced for low achievement of targets is stated to be the theft of electric wires and Equipment from the spot.

Electrification through New and Renewable Sources

138 The Committee note that out of 2051 villages in Dang Area, 1610 villages happened to be already electrified and out of remaining 439 villages, which were to be electrified under the Rajiv Gandhi Grameen Vidyutikaran Yojana (RGGVY), 290 villages have been electrified under the RGGVY. The reasons cited for non-electrification of remaining 149 villages are stated to be theft of electric wires and Equipments etc.

139 The Committee further note that all the villages of Kota have been electrified except 8 villages which come under the forest area and for the electrification of these villages, permission from the Forest Department is required. The Committee have been informed that out of these 8 villages, 3 have gradually become unpopulated and the remaining 5 villages can only be electrified through Remote Village Electrification Programme (RVEP) through the New and Renewable Energy Sources. The Committee understand that the proposal in this regard has already been sent to the Ministry of New and Renewable Energy. The Committee hope that the work of electrification of all the villages of Districts Dholpur, Karauli, Sawai Madhopur and Kota Districts will be accorded top priority and the left out villages of these Districts will be electrified through the New and Renewable Energy Sources-after securing the requisite clearance from the Ministry of New and Renewable Energy Sources. The Committee are of the considered view that in order to achieve 100% electrification of the aforesaid four Districts, it is imperative that Government Offices and installations in those villages should be electrified on priority

basis which, in turn, will also put a check on the theft of electric wires and equipments from the spot.

Pendency of Electrification Work

140 The Committee observe that work of providing electricity connections to BPL families, electrification work of Un-electrified Villages and electrification work of partially electrified villages of the Chambal area in Eleventh Plan period is still lying pending.

The Committee, therefore, recommend that concrete steps should be taken to complete the pending work of providing electricity connections to all the BPL families, electrification work of Un-electrified Villages and electrification work of partially electrified villages, etc. in a time bound manner. The Committee would also like to be apprised of the steps taken in this direction.

Precautions to be taken while appointing a new Contractor or awarding a Contract for electrification works.

141 The Committee observe that the contractor, to whom the work of electrification of Dang Area was given, has been removed and now, the contract of electrification work has been awarded to a new contractor. The Committee trust that due procedure was followed for awarding the contract to the new contractor for electrification job of Dang Area- especially, keeping in view the contractor's capacity to work in a difficult terrain, past record of the new contractor, security money, etc. While taking serious view of the problems created by the old contractor, the Committee recommend that there should be a provision of forfeiture of contractor's security money in case of

the Contractor's leaving the job without completion / unsatisfactory work, and also cash compensation in case of delay in completing the designated works, etc.

142 The Committee further note with concern that the contractor who had not completed the work assigned to him and has been black-listed had moved the Court to get the payment of work which he has not completed. The work claimed by the old contractor was got verified and it was found that only 30 – 40% work has been done by the old contractor and as such no payment has been made to him by the State Government of Rajasthan. The Committee have been given to understand that the old contractor has not only been black-listed rather resultant to this he will not be able to take any other work anywhere in the country and the valid Bank Guarantees are still with the State Government which will be invoked as and when needed.

143 From the foregoing, the Committee are inclined to recommend that in the event of leaving the assigned work without completion by any Contractor, the bank guarantee / security money deposited by the old contractor should be immediately forfeited. The Committee further urge the Government to stop any further payment to the old Contractor without due and proper verification of the work done by the Contractor. Further, the old contractor be penalised, if, there is a cost escalation etc. due to non-completion of assigned work by him or her in the prescribed time.

NEW DELHI

15 July, 2013
25 Asadha, 1935 (Saka)

**Anant Gangaram Geete
Chairman
Committee on Petitions**