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COMMITTEE ON PETITIONS
(FIFTEENTH LOK SABHA)

NINTH REPORT



LOK SABHA SECRETARIAT
NEW DELHI

August, 2010/Sravana, 1932 (Saka)

NINTH REPORT
COMMITTEE ON PETITIONS
(FIFTEENTH LOK SABHA)

MINISTRY OF ENVIRONMENT
AND FORESTS

MINISTRY OF RAILWAYS

(Presented to Lok Sabha on 18.08.2010)



LOK SABHA SECRETARIAT
NEW DELHI

August, 2010/Sravana, 1932 (Saka)

PCB. No. 1 Vol. IX

Price: Rs. 45.00

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Published under Rule 382 of the Rules of Procedure and Conduct of Business in Lok Sabha (Fourteenth Edition) and printed by the General Manager, Government of India Press, Minto Road, New Delhi-110 002.

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COMPOSITION OF THE COMMITTEE ON PETITIONS
2009-2010

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3. Shri Khiladi Lal Bairwa
4. Shri E. T. Mohammed Basheer
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5. Shri Jyoti Prakash Krishna — *Executive Assistant*

NINTH REPORT OF THE COMMITTEE ON PETITIONS

(FIFTEENTH LOK SABHA)

INTRODUCTION

I, the Chairman, Committee on Petitions, having been authorized by the Committee to present the Report on their behalf, present this Ninth Report of the Committee to the House on the following matters:

- (i) Representation from Shri Vijay Zunjarrao, Chairman, Electricity and Construction Samittee, Alibag Municipal Council, District Raigad, Maharashtra regarding cancellation/withdrawal of Notification dated 22nd April, 2003 issued by the Ministry of Environment and Forests, Government of India.
- (ii) Representation from Shri Mani Ram Sharma regarding provision of more funds in Railway Budget for Development of Railway Network in District Churu, Rajasthan.

2. The Committee considered and adopted the draft Ninth Report at their sitting held on 1st July, 2010.

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

NEW DELHI;
1 July, 2010

10 Asadha, 1932 (Saka)

ANANT GANGARAM GEETE,
Chairman,
Committee on Petitions.

CHAPTER I

REPRESENTATION FROM SHRI VIJAY ZUNJARRAO, CHAIRMAN,
ELECTRICITY AND CONSTRUCTION SAMITTEE, ALIBAG
MUNICIPAL COUNCIL REGARDING CANCELLATION/
WITHDRAWAL OF NOTIFICATION DATED 22 APRIL 2003
ISSUED BY THE MINISTRY OF ENVIRONMENT &
FORESTS, GOVERNMENT OF INDIA

Shri Vijay Zunjarrao, Chairman, Electricity & Construction Samittee, Alibag Municipal Council has sent a representation regarding cancellation/withdrawal of Notification dated 22 April 2003 issued by the Ministry of Environment and Forests. In his representation, the petitioner has *inter alia* submitted as follows:-

- (i) The Alibag Municipal Council is a 'C' Class Municipality constituted under Maharashtra Municipalities Act 1965. In Maharashtra, the Konkan Region excluding District of Mumbai and Thane, consists of other three districts, namely Raigad, Ratnagiri and Sindhudurg having sea shore of about 600 km. length. In view of peculiar topography of Alibag Town, its 80% area falls within the limits of CRZ II. Also, all the small villages in Alibag Taluka as well as Uran, Murud, Shrivardhan Taluka in Raigad district and the villages situated on sea shore in Ratnagiri and Sindhudurg district are falling within the limits of CRZ II and CRZ III.
- (ii) The Chairman of the Maharashtra Coastal Zone Management Authority (MCZMA) constituted under the Environment (Protection) Act, 1986 *vide* letter dated 31 March 2009 informed the Chief Officer, Alibag Municipal Council and other Local Authorities that the grant of building permission in CRZ affected area is accorded by the MCZMA and, therefore, directed the concerned officers to submit the building proposals in Coastal Regulation Zone (CRZ) limits in the prescribed format and inform the public at large accordingly.
- (iii) After the receipt of letter dated 31 March 2009 from the Chairman, MCZMA, the Chief Officer, Alibag Municipal Council and Collector, Raigad informed the persons desirous of undertaking repairs, rebuilt, renovations of the existing structure and building new structure in CRZ II limits to submit the respective proposals for approval and sanction directly to MCZMA if the cost of such constructions is below Rs. 5 crore and to the Ministry of Environment and Forests, New Delhi if it exceeds Rs. 5 crore. Most of the building proposals in CRZ II and CRZ III limits are pertaining to dwelling houses of local residents such as farmers, fishermen and the cost of the construction is few lakh.
- (iv) Till the receipt of letter dated 31 March 2009, the Local Authorities such as Collector and Chief Officer of the Municipal Council were according building

permissions in CRZ II limits after taking technical advice and sanction from the Assistant Director, Town Planning of the Raigad district.

- (v) The petitioner being a Corporater of Alibag Municipal Council received number of complaints and the grievances from the local people about the difficulties and hardships being faced by them in obtaining building permission from the MCZMA, situated at Mumbai. As per his enquiry with the Government officials, the petitioner came to know that in view of the Notification dated 22 April 2003, the Coastal Zone Management Authority has been constituted in the State of Maharashtra, Mantralaya, Mumbai and only the said authority is empowered to accord building permissions in CRZ II limits and, therefore, the powers of the Local Planning Authority such as Municipal Council, Collector have been withdrawn so far as grant of construction permissions in CRZ II and CRZ III limits is concerned.

1.2 The petitioner has, therefore, challenged the said Notification wherein the MCZMA has been entrusted with the power of according building permissions up to Rs. 5 crores in CRZ II and CRZ III limits on the following grounds :—

- (i) MCZMA is situated at Mantralaya, Mumbai and the layman from the district Raigad, Ratnagiri and Sindhudurg finds it extremely difficult to visit the office of MCZMA at Mumbai for seeking the building permission. The distance from the extreme south village of Sindhudurg district is about 600 km. and for follow-up of building proposal with the MCZMA is very expensive and time consuming for person who is desirous of extending one or two room to his existing house because of growing family. Earlier in every District the Collector in rural area and Chief Officer of Municipal Council in urban area were empowered to accord such permission. The Collector or Chief Officer as the case may be after taking technical opinion from the Assistant Director, Town Planning of his district used to accord such permission in CRZ II and CRZ III areas. Paying frequent visit to District Head Quarter is comparatively easy, less expensive and time consuming for such villagers than visiting the office of MCZMA in Mumbai.
- (ii) Since the MCZMA is entrusted with the function of according permission in CRZ II and CRZ III limits in entire Konkan Region, including the district of Mumbai and Thane, there is large pendency of building proposals waiting for sanction from the authority. The MCZMA is not equipped with sufficient number of technical staff, relevant data of the CRZ II and CRZ III limits such as existence of public road, description of existing structures, survey number and property card number of properties falling under CRZ II and CRZ III limit of each village in the five districts in Konkan region of Maharashtra State. Therefore, there is inordinate delay in according permission.
- (iii) The district level authorities such as Collector, Municipal Council and the Assistant Director, Town Planning who are having existing infrastructure and staff for scrutiny of the building proposals within CRZ II and CRZ III limits has now become idle.

- (iv) Even though the local authorities such as Municipal Council or Collector were according building permission in CRZ II and CRZ III limits, those were accorded only after technical scrutiny of proposal from the Assistant Director, Town Planning of the concern district and there are no serious complaints regarding grant of permissions or constructions in contravention of CRZ notification by the local authorities or constructions in violation of CRZ Regulations.
- (v) While entrusting the powers to the MCZMA and withdrawing the powers of local authority of according permission, the convenience of public at large is totally overlooked which has resulted in causing injustice to the layman.
- (vi) There was absolutely no need to centralize the power of according building permissions in the hands of MCZMA when in every field of administration, even in the field of judicial system the process of decentralization and delegation of authority is undertaken by the Central Government.
- (vii) The members of Legislative Council of Maharashtra have taken up the issue on the floor of Maharashtra Legislature and the legislative assembly has realized the sufferings of the public at large. Thereafter, the Principal Secretary of Urban Development Department of Maharashtra State *vide* his letter dated 15 October, 2009 addressed to the Ministry of Environment and Forests requested for review of said notification dated 22 April, 2009 and recommended for restoring the earlier position by which the collector and planning authorities at local level were authorized to clear the proposal up to 5 crore in CRZ II and CRZ III limits.
- (viii) When it is expected from the citizen that they should abide by the law of the country, the reciprocal duty is to cast on the State to create such situation and provide necessary infrastructure to the citizen so that they abide by the law.
- (ix) When the said authority is largely dependant upon the input provided by Collector or the Local Planning Authority for the effective implementation of the notification and when there is no history or incident where the Local Planning Authorities have failed to achieve the object of the Act and the CRZ Notification, there was no need to withdraw the powers of sanctioning proposal of investment upto 5 crore.
- (x) The intent of the CRZ notification can be achieved by allowing the Collector and Local Planning Authority to clear the investment proposal upto 5 crore in CRZ II and CRZ III limits and conferring supervisory, appellate or revisional power on Chairman, MCZMA.

The petitioner has, therefore, requested that necessary directions for withdrawal or modification of the said notification dated 22 April 2003 be given thereby conferring powers on the Local Planning Authority, Collector to clear investment proposals up to Rs. 5 crore in CRZ II and CRZ III limits.

1.3 The Committee took up the above representation for examination under Direction 95 of the Directions by the Speaker, Lok Sabha. Accordingly, the above representation was forwarded to the Ministry of Environment and Forests to furnish their comments.

1.4 In their response, the Ministry of Environment and Forests (MoEF) *vide* O.M. dated 11 January, 2010 furnished their comments as under:—

- The Coastal Regulation Zone (CRZ) Notification, 1991 is being implemented in Maharashtra by the Maharashtra Coastal Zone Management Authority (MCZMA). As per the information from the MCZMA, for obtaining CRZ clearance, applicant needs only to apply to the local planning authority. The application is scrutinized by the Assistant Director of Town Planning/Town Planning Branch Office or Deputy Chief Engineer/Executive Engineer/City Engineer of concerned Municipal Corporation and sent to the MCZMA. If any clarification is required, the official of the concerned local planning authority is called to the office of MCZMA and there is no need for the applicant to visit the MCZMA. The proposals with less than Rs. 5 crore submitted by the local authorities are cleared within 30 days. All communication including clearance letter sent by emails and Agenda, Minutes and Clearance letters are all made available on website of MCZMA.
- Ministry has brought out the CRZ Notification, 1991 for the protection of coastal environment. The Notification is being implemented by the Ministry through National Coastal Zone Management Authority at centre and through State Coastal Zone Management Authority at State/UT level. As per Hon'ble Supreme Court's order, Ministry constituted Coastal Zone Management Authorities (CZMA) in the States for implementing the Notification.
- It has been brought to the notice of the Central Government that destruction of mangroves, depletion of ground water and certain other activities involving severe ecological damages have been caused as large sized projects being implemented without clearance from the Government of India in the Ministry of Environment and Forests. The issue has been examined by the Government of India in the Ministry of Environment and Forests and decided to amend the CRZ Notification, 1991 with a view to prevent further ecological damages. Accordingly, it was amended on 22.04.2003.
- As per the survey carried out by Collector, Raigad on the directions of Hon'ble High Court of Mumbai, in case of PIL-107/2009 and PIL-68/2009, there are large scale constructions in CRZ area violating CRZ provisions in Alibag, and district Raigad. Similarly, there are court cases and complaints against constructions violating CRZ norms, in other coastal areas of the State.
- The requests of decentralization of power need to be harmonized with the imperatives of protection of environmental integrity in the coastal areas.

1.5 With reference to the submission of the petitioner that the Principal Secretary of Urban Development Department of Maharashtra State *vide* letter dated 15 October, 2009 addressed to the Ministry of Environment and Forests requested for review of said notification dated 22 April, 2003 and recommended for restoring the earlier position by which the collector and planning authorities at local level were authorized to clear the proposal up to 5 crore in CRZ II and CRZ III limits, the MoEF in their written comments stated as under:—

“The views expressed by the Urban Development Department, Government of Maharashtra were sent for examination and comments of MCZMA, the authority concerned on 16.11.2009.”

1.6 While stipulating the salient features of the Environment Act, 1986, the Ministry of Environment and Forests *vide* their subsequent written reply dated 12 January, 2010 submitted as follows:—

“The Environment (Protection) Act, 1986 provides for protection and improvement of environment and for matters connected therewith. The Environment (Protection) Act further empowers the Central Government to take measures to protect and improve environment ; to give directions to any person/ authority; to make rules to regulate environmental pollution; to get information from the authorities; to entry and inspection of any premises; to take samples, etc.”

1.7 Responding to a question about the reasons for creation of different zones and the importance of Coastal Regulation Zones from the point of view of Environment, the Ministry in their written comments elaborated as follows:—

“For the purpose of conserving the coastal environment, the Ministry had issued the Coastal Regulation Zone (CRZ) Notification, 1991 to regulate various activities in CRZ area. The Notification declares Coastal stretches of 500 m from High Tide Line (HTL) and the stretch between Low Tide Line (LTL) and HTL as Coastal Regulation Zone (CRZ). It also declares 100 m or width of the creek and backwater and distance up to which tidal effect of the seas is experienced in rivers, creeks and backwaters river and creeks as Coastal Regulation Zone. HTL will be the line up to which tide reaches during spring. Coastal Stretches divided into four Zone depends upon its development, nature and various provisions have been made in CRZ notification for regulating developmental activities. The brief account of provision regarding the four CRZ zones is given below:

CRZ-I:

Area that are ecologically sensitive and important such as national parks/marine parks, sanctuaries, reserve forests, wildlife habitats, mangroves, corals/coral reefs, etc. and area between Low Tide Line and the High Tide Line.

CRZ-II:

The areas that have already been developed upto or close to the shoreline: No activity is allowed to be undertaken in CRZ-II areas towards seaward side of an authorized building or road, meaning that any activity can be undertaken towards landward side of existing authorized structure or road with approval of MCZMA/

MoEF. MoEF approval is required only when the investment in the project is more than Rs. 5 crore.

CRZ-III:

Areas that are relatively undisturbed and those which do not belong to either Category-I or II. These will include coastal zone in the rural areas (developed and undeveloped) and also areas within Municipal limits or in other legally designated urban areas which are not substantially built up.

No developmental activity is permitted up to 200m from High Tide Line thus, declaring this stretch as “No Development Zone”.

Construction is permissible between 200 and 500 metres of High Tide Line.

CRZ-IV:

This zone relates to the Andaman and Nicobar Islands and the Lakshadweep Islands.

1.8 When enquired about the Authority administering these zones and whether creation of these different zones have benefited the general public of these areas in their activities involving construction/renovation of their dwelling units, the MoEF have in their written note submitted as under:—

“The Notification is being implemented by the Ministry through National Coastal Zone Management Authority at Center and through State Coastal Zone Management Authority at State/UT level. Under the Hon’ble Supreme Court’s order, Ministry constituted Coastal Zone Management Authorities (CZMA) in the States for implementing the Notification. The people of the coastal area do benefit from overall conservation of the coastal environment through the implementation of the CRZ Notification, which means also that they need to abide by its provisions.”

1.9 Responding to a question as to whether the Government has received any representation from any quarters against creation of these zones and the difficulties faced by them as a result thereof, the Ministry in their written comments submitted as under:—

“Based on the various representations/Court orders etc., the Notification has been amended on several occasions since 1991 to 2009. In order to examine the issues of coastal zones in a holistic manner, the Ministry had constituted an Expert Committee under the Chairmanship of Prof. M.S. Swaminathan in June, 2004. The Committee submitted its Report in 2005. Based on the recommendations of the Committee, the Ministry issued a draft Coastal Management Zone (CMZ) Notification on 01.05.2008 and an amendment to it on 09.05.2008 inviting public suggestions and objections in accordance with Environment (Protection) Act, 1986. Based on the requests made by the State Governments, the draft CMZ Notification was re-notified on 22.07.2008 extending the time period for receiving suggestions and objections.

The Ministry received large number of suggestions and objections to the draft CMZ Notification. In order to examine these suggestions and objections and to

formulate the Coastal Zone Management approach for the country, the Ministry constituted a four-member Expert committee under the Chairmanship of Prof. Swaminathan on 15.06.2009. The Expert Committee submitted its report on 16.07.2009 and the Ministry accepted the report. The Expert Committee in its recommendations urged that the CMZ Notification, 2008 be allowed to lapse on 22.07.2009. The Expert committee also suggested that the Ministry may take action to strengthen and implement the existing CRZ Notification, 1991 rigorously.

For the strengthening of the CRZ Notification, this Ministry has so far had consultations in various States at Chennai, Panjim and Maharashtra. Consultation at Bhuvaneshwar are scheduled to be held during January, 2010. The Ministry also proposes to have consultations through the Centre for Environmental Education, Ahmedabad in the coastal States like Andhra Pradesh, Gujarat, Karnataka and West Bengal.

Any conclusion will be reached after consultation process is completed.”

1.10 When enquired if the powers have been delegated to the Chairman of the MCZMA, under the Environment Act, 1986 to accord permission for building activities after 31 March 2009, the Ministry have submitted in their written reply as under:—

“The section 3, 3 (ii) CRZ Notification, 1991 provides that all developmental activities having less than Rs. 5 crore investment shall be regulated by the State Government, Union Territory Administration or the local authority, as the case may be, in accordance with the approved Coastal Zone Management Plan and guidelines given under CRZ Notification, 1991.”

1.11 In response to a query as to if the Government has created public awareness about the creation of CRZs and its impact on certain activities like building new structure or renovations/repairs of old structures, the Ministry in their written reply responded as follows :—

“The draft CRZ Notification was published on two occasions in 1989 and in December, 1990 in the Gazette of India inviting suggestions/ objections from public. After due consideration of all the suggestions/objections received on the draft Notification, final Notification was published in the Gazette on 19.2.1991. Further, for maintaining transparency, circulars have been issued to all the State Coastal Zone Management Authorities to upload the details on their website regarding the projects received, their status, agenda for the meetings, minutes, etc. A reminder was also sent to all SCMA’s to comply with the circular.”

1.12 On enquiring about the reasons for giving powers to CZMA for building purposes, which were hitherto being enjoyed by local authorities, the Ministry clarified in their written reply as follows:—

“It was brought to the notice of the Central Government that destruction of mangroves, depletion of ground water and certain other activities involving severe ecological damages have been caused as various projects being implemented without clearance under CRZ Notification, 1991. The issue has been examined in the Ministry of Environment and Forests and it was decided to

amend the CRZ Notification, 1991 with a view to preventing further ecological damages. Accordingly, the Notification amended on 22.4.2003.”

1.13 When asked if there is any difficulty in accepting the proposal of the petitioner for withdrawal/modification of notification dated 22 April 2003 and conferring powers to collector and local authorities, the Ministry informed in their written reply as follows:—

“Response of MoEF can be given only after consultations are completed. However, as a general proposition, most of the planning authorities like CIDCO, MMRDA and Urban Local Bodies are also development agencies in their respective jurisdictions. These development agencies encounter problems implementing the environmental legislations, since there is always a possibility of a conflict of interest when the developer is also a regulator. Hence, it will generally be prudent to have separate environmental regulator like SCZMAs, for effective environmental governance.”

1.14 The Committee also took oral evidence of the representatives of the Ministry of Environment and Forests on 11 March 2010.

1.15 At the outset, the witness, Special Secretary, MoEF explained the coastal regulation zone as under:—

“.... All of us are aware of the fact that environmental balance is very important for our country. There are many parts of environment which includes management of coastal areas also. In the year 1991 for the first time, the Government of India after examining the situation had issued a notification which remained in public domain for two years on which people gave their comments and suggestions. In the year 1991, that was notified as Coastal Regulation Zone. After that, many suggestions came, people narrated their problem. For this Committees were also constituted and from time to time, amendments were also made in it. Sir, one committee was constituted under the chairmanship of Dr. M.S. Swaminathan which gave one report. That report was considered by a four member committee of the Ministry. Thereafter, a notification was to be issued in 2008 but that was kept in abeyance. Again public consultative process was started on this. As you had rightly said, from this it is evident that this matter is very sensitive. We have to consider every one’s view. We have to look into fishermen’s interest. Those people who live in coastal zone have also to be considered. Ministry would not want that there should be any adverse effect on the local population and their livelihood and want to maintain ecological balance.The Government have decentralized the process to ease out people’s difficulties and no one is harassed during obtaining clearance. But the real problem creep out during implementation stage keeping that in mind some changes were made. I want my colleague Mrs. Nalini Bhatt who is expert on this subject to explain further.”

The witness (Dr. Nalini Bhatt, Advisor, MoEF) further explained as under:

“..... we have brought the notification in 1991 and started its implementation. After that we received many representations, particularly expressing the difficulty by the local people. Local fishermen need small jetties with small cold storages. All their requirements we came to know through representation received. If we

count from 1991 till now, there are approximately 28 amendments, which have been done in the CRZ notification framework. Main issue of these amendments have been that keeping in with the protection required for coastal areas, we should still permit those activities. The way these amendments have been made, for that I wish to give one-two examples. For example, for petroleum products, it is very natural, we need storages within port area for some chemicals. We brought notification through amendments for 13 chemicals which are required for daily use such as diesel, petroleum products etc. We brought notification with lots of conditions. That has eased out some difficulties. The second problem is regarding fishermen. They want to expand their business. We want that they should not face any difficulties. I would like to bring to point out that one case is going on in the Goa court.....There are lots of problems regarding hutments settled there before 1991. They have taken as violation, which we feel, that this has to be seen from the provisions of 1991 notification. We are also conducting survey..... We want that any notification we bring in CRZ, they have to be based on the actual difficulties, which are faced by the local people. We had brought out one notification in 2008 to invite objections and suggestions from various communities. We received the highest number of representations from the fishermen community. They felt that with this notification, they will be permitting more development and their problems would be aggravated if we do not take notice of their requirements. After that a committee was formed under Prof. Swaminathan and its report which is on the website. It is called 'Final Frontier'. In this report a decision has been taken to allow 2008 notification to lapse. The most important and the second part of the report, it is written what should be the agenda for improving the Coastal Regulation Zone. We have shown the changes required to be made in 1991 framework. For this the next notification will be drafted soon. We are already in the process of doing that. We will follow the same procedure. We will first put up a draft of this notification for public discussion and for public suggestion and then in groups we invite them for taking their views and then we finalize such notification.In this, we have decided that whenever we come through a new notification, it will be for enhancement of protection to fishing community. This is going to be our key theme of the new notification. It is for the fishing communities, their families as well as their habitation. Linked to this is the livelihood security. This will be the theme of our new notification. I would also like to say that our Hon'ble Minister, Mr. Jairam Ramesh, is committed to this philosophy of local people being given their livelihood security as well as their requirement of development, which is going with that. This one will be one of the issues which we want to flag.The second issue which we would be flagging in our new notification is to protect the important critical areas of ecological sensitivity.Thirdly, we want to ensure that coastal waters have adequate water quality parameters, Sir, if that is not there then that will have an impact. This is, therefore, going to be a holistic notification. By the end of this month or the first week of April, we will be putting this notification in public domain. Already, the Minister had five consultations in various States. We have discussed with coastal people, communities. We will then be having this notification within 60 days. We invite

comments from all stakeholders. Then, we call them in the Ministry in smaller groups or we go to States to discuss with them their inputs and their views on this notification. After that, again it will go through the procedure. But I want to submit that we are seized of the problems that have been faced by the local communities and our endeavour will be to see that such problems are minimized, if not totally removed.

One point I will tell you is regarding the amendment that was brought in April, 2003. As per our existing notification, there are certain activities which are permissible. There are certain activities which are prohibited. They are appraised at the Centre for the permissible activities, if it is more than Rs. 5 crore. If it is less than Rs. 5 crore, it is the power of the State Coastal Zone Management Authority. They would be given clearances for cases which involve less than Rs. 5 crore.

This is uniformly done in all the coastal States and Union Territories. We have tried to streamline this procedure by putting it in public domain. We have told to every State's Coastal Zone Management Authority that they should have their website; they should have a time period of 30 days for giving whatever decision they want to do. If it is permissible, agreeable then they can say yes; if there is any issue they can send it back. We really want that the procedure should be transparent, people need not to be bothered on coming to the place where they have to give clearances.

Sir, these are submissions from our side. Whatever suggestions you give, Sir, certainly we will try and look at them.”

1.16 Responding to the observation of the Committee that there should not be any infringement on the powers of the Municipal Corporation, the witness (Smt. Valsa Nair Singh, Secretary, Government of Maharashtra) clarified as under:—

“.....the Maharashtra Coastal Zone Authority has made efforts to systematize and make the entire system and process speedy and transparent on the basis of the notification of 4 April 2003. After the year 2003, the proposals amounting to less than Rs. 5 crore are sanctioned by the Maharashtra Authority and the projects amounting to more than Rs. 5 crore are required to be referred to the Ministry. We have prepared a new format to expedite the entire system. We have held meetings with all the concerned departments and after taking their representations, concerned with all the stakeholders. We have made a new format. This format has been decided in such a way that any project proponent can do it at the easiest way. He does not have to go anywhere to do it. Everything is so clear in that format. It is web-enabled. You can sit anywhere and get it done. You do not even have to go for that. It is like a questionnaire in which you just fill it up and all the project details come. Once it is done, then after getting the recommendation of the concerned Municipal Officer or Municipal Council Town Planner, it is referred to Coastal Zone Authority. We have set this procedure. The advantage of this procedure is that, if within 30 days the complete form is submitted, then the project will get either recommended or rejected. There is no question of delay in that. We have started this new tradition since last March.”

1.17 On being enquired about the number of applications received and the time taken to grant permission after introduction of new format/procedure since March, 2009, the witness (Smt. Valsa) responded as under:—

“We received 270 proposals. The cases below Rs. 5 crore were 125 and the cases above Rs.5 crore were 121. We completed action in respect of 226 cases—105 cases of below Rs. 5 crore and 109 cases above Rs. 5 crore. We considered 136 cases before MCZMA—22 cases below Rs. 5 crore, 92 cases above Rs. 5 crore. There are 44 cases under process.

The witness further added:

“This is the total number of cases which we have handled. If a case is not completed, we will ask for more details which will have to come. We hold meetings every month, sometimes twice a month also. Now, the pendency is between 10 and 20 cases. As soon as we reach 10-15 cases, we keep a meeting.”

1.18 When the Committee desired to know as to whether the powers which have been transferred from Municipal Council to Coastal Zone Management Authority of the State, could be reconsidered, the Special Secretary, MoEF submitted as under:—

“As the Secretary of the Government of Maharashtra has just now said that there is much improvement there, however, public consultation is going on in it. Just now you said that the Hon’ble Minister is setting up a forum. From this it is clear that whatever advice we will get from every quarter, especially from the Committee, we will seriously consider that advice. We will definitely give priority to the local conditions and the issue of empowerment of local bodies will also be considered.”

1.19 When the Committee observed that there should not be any encroachment of powers of Local Authority and the same need to be considered, the Special Secretary, MoEF responded as follows:—

“We have noted. We will definitely go by the guidance of the Committee.”

Observations/ Recommendations

1.20 In his representation, the petitioner has submitted that 80% area of the Alibag town falls within the limits of Coastal Regulation Zone (CRZ) –II. All the small villages in Alibag taluka as well as Uran, Murud, Shrivardhan taluka in Raigad district and the villages situated on the sea shore in Ratnagiri and Sindhudurg districts also fall within the limits of CRZ II and CRZ III. According to the petitioner, in view of the Notification dated 22 April 2003 issued under the Environment (Protection) Act, 1986, only the Maharashtra Coastal Zone Management Authority (MCZMA) is empowered to accord building permissions in CRZ-II and CRZ-III limits and the powers of the Local Planning Authority such as Municipal Council and Collector have been withdrawn to accord such permission. The Chairman, MCZMA vide letter dated 31 March 2009 to the Chief Officer, Alibag Municipal Council and Collector, Raigad informed that the proposals for undertaking repairs, rebuilding, renovations of the existing structure and building new structure in CRZ-II and

CRZ-III limits should be submitted by the applicants for approval and sanction directly to MCZMA if the cost of such constructions is below Rs. 5 crore and to the Ministry of Environment and Forests, New Delhi if it exceeds Rs. 5 crore. The petitioner has claimed that prior to 31 March 2009, the local authorities such as Collector and Chief Officer of the Municipal Council were according building permissions in CRZ-II and CRZ-III limits after taking technical advice and sanction from the Assistant Director, Town Planning of the District. The petitioner has also submitted that most of the building proposals in CRZ-II and CRZ-III limits are pertaining to dwelling units/houses of local residents such as farmers/fishermen and their cost of the construction is few lakh of rupees. After issue of letter dated 31 March 2009, it has become difficult for these local residents to visit the office of MCZMA, located at Mumbai for seeking building permission. The distance from the extreme south village of Sindhudurg district is about 600 km. and to follow up their building proposals with the MCZMA is very expensive and time consuming. The petitioner has also claimed that by entrusting MCZMA with the function of according permission in CRZ-II and CRZ-III limits in the entire Konkan region, a large number of building proposals are pending for sanction. The petitioner has, therefore, requested that the spirit and intent of the CRZ notification can be achieved only by allowing the Collector and Local Planning Authority to clear the investment proposal up to Rs. 5 crore in CRZ-II and CRZ-III limits. The petitioner has, therefore, requested that necessary directions for withdrawal or modification of the said notification dated 22 April 2003 be given thereby conferring powers on the Local Planning Authority/Collector to clear investment proposals up to Rs. 5 crore in CRZ II and CRZ III limits.

1.21 The Committee note from the submission of the Ministry of Environment and Forests that the CRZ Notification, 1991 was brought out by them for the protection of Coastal Environment and the same is being implemented by the Ministry through National Coastal Zone Management Authority at the Centre and through State Coastal Zone Management Authority at the State/UT Level. As per orders of Hon'ble Supreme Court, Coastal Zone Management Authorities (CZMA) were constituted by the Ministry in the States for implementing the Notification. The said Notification was amended on 22 April 2003 with a view to prevent further ecological damages as a result of destruction of mangroves, depletion of ground water and certain other activities involving large projects being implemented without clearance from the Ministry under CRZ Notification, 1991. As per the amended Notification, State Coastal Zone Authority has been given power to grant CRZ clearance for projects having investment less than Rs. 5 crore and in case of proposals having investment more than Rs. 5 crore, the Central Government has the power to grant clearance.

1.22 The Committee were informed that the CRZ Notification, 1991 is being implemented in Maharashtra by the MCZMA. For obtaining CRZ clearance, the applicant needs only to apply to the Local Planning Authority. The application is scrutinized by the Assistant Director of Town Planning/Town Planning Branch Office or Deputy Chief Engineer/ Executive Engineer/ City Engineer of concerned Municipal Corporation and sent to the MCZMA. If any clarification is required, the official of the concerned Local Planning Authority is called to the Office of MCZMA and there is no need for the applicant to visit MCZMA. The proposals with less than Rs. 5 crore

submitted by the local authorities are cleared within 30 days. All communications including clearance letter are sent by e-mails and Agenda, Minutes and clearance letters are made available on the website of MCZMA. This procedure is followed uniformly in all Coastal States and Union territories.

1.23 The Committee were further informed that in order to examine the issues of coastal zones in a holistic manner, an Expert committee was constituted under the Chairmanship of Prof. M.S. Swaminathan in June 2004 which submitted its report in 2005. Based on the recommendations of the committee, the Ministry issued a draft Coastal Management Zone (CMZ) Notification on 1 May 2008 and an amendment to it on 9 May 2008, inviting public suggestions and objections in accordance with Environment (Protection) Act, 1986. Based on the requests made by the State Governments, the draft CMZ Notification was re-notified on 22 July 2008 extending the time period for receiving suggestions and objections. In response thereto, a large number of suggestions and objections were received by the Ministry. In order to examine these suggestions and objections, the Ministry had again constituted a four-member Expert Committee under the Chairmanship of Prof. M.S. Swaminathan on 15 June 2009. The Expert Committee submitted its report on 16 July 2009 which was accepted by the Ministry. The Expert Committee in its recommendations urged that the CRZ Notification, 2008 be allowed to lapse on 22 July 2009. It had also suggested that the Ministry may take action to strengthen and implement the existing CRZ Notification, 1991 more rigorously. For strengthening of the CRZ Notification, the Ministry had consultations with the local people in various States. The Ministry also propose to have consultations through the Centre for Environmental Educations, Ahmedabad in the coastal States. According to the Ministry, any conclusion will be reached only after the consultation process is completed.

1.24 Notwithstanding the submission of the Ministry that applicant needs to apply only to the local planning authority for obtaining CRZ clearance for his proposals and there is no need for him to visit the MCZMA for any clarification, if any, required by them, the fact remains that prior to March 2009, the local authority and the Collector were empowered to accord permission for projects within CRZ-II and CRZ-III limits and involving investment less than Rs. 5 crore. Therefore, in case of any eventuality, it was convenient for the applicant to approach the local authority or the district Collector to get expedite the requisite clearance for his proposal as contended by the petitioner. The very fact that the petitioner has had to approach the Committee for redressal of his grievance amply proves the point that the decision of the Central Government on the issue was not well thought of. One can understand the harassment and the hardship which the poor applicant would undergo if, for one reason or the other, he has to travel far away from his village/native place just to follow up his proposal for CRZ clearance with the authority sitting at Mumbai, *i.e.* MCZMA. The Committee could not understand as to why the power vested with the local authority and the Collector to accord permission for construction purposes involving investment less than Rs. 5 crore was withdrawn by the Central Government. Instead of strengthening its mechanism to monitor various activities causing severe ecological damages and imbalances, the Central Government thought it prudent to amend the CRZ *vide* notification dated 22 April 2003 withdrawing thereby the power hitherto

enjoyed by the local authorities in the matter and in the process causing resentment among the public as the proposals in CRZ II area involving investment up to Rs.5 crore have now to be sent to MCZMA for approval. This led to the Principal Secretary of Urban Development Department of the State Government of Maharashtra to write a letter to the Central Government on 15 October 2009 indicating its adverse affect on a large portion of coastal area in Konkan region. The Committee are, therefore, not convinced with the explanation and claim of the Ministry that the revised procedure to get CRZ clearance for construction purposes has been streamlined to reduce the harassment and the difficulties being faced by the public for the purpose.

1.25 The Committee are of the view that the problems of the people could not be solved/attended to effectively and expeditiously unless the local authorities are empowered to deliver the justice at their door-steps. On the other hand, the problems of the local people would aggravate if the power of the local bodies/authorities are withdrawn or encroached upon, as is evident in the instant case. In this context, the Committee have taken note of the submission made by the Special Secretary, Ministry of Environment and Forests during the course of evidence that the advice received from various quarters will be considered seriously and the local conditions and the issue of empowerment of local bodies will be given priority. It was also assured by the Ministry that they will go by the guidance of the Committee in the matter. The Committee, therefore, would like to recommend that the Ministry should review its earlier decision and consider to restore the position as prevalent prior to issue of amended Notification dated 22 April 2003 restoring thereby the power on the local authorities/Collector to accord CRZ clearance for projects involving investment up to Rs. 5 crore within CRZ II and CRZ III limits as demanded by the petitioner. In this regard, the Committee expect the Ministry to expedite the process of consultation with all the stakeholders including the local people and the fishing community within a fixed time frame before revised CRZ Notification is issued in the matter. The Committee would like to be apprised of the conclusive action taken by the Ministry in this regard.

CHAPTER II

REPRESENTATION REGARDING DEVELOPMENT OF RAILWAY NETWORK IN DISTRICT CHURU, RAJASTHAN

2.1 During 14th Lok Sabha, Shri Ram Singh Kaswan, MP had given a petition signed by Shri Mani Ram Sharma and others regarding provision of more funds in Railway Budget for development of railway network in district Churu, Rajasthan. In the petition, the petitioners *inter-alia* stated that tehsil Sardarshahar which is the largest tehsil comprising 210 revenue villages in the district Churu has not received any developmental allocation from the Railway Budget during the preceding 60 years after independence. The whole of Taranagar tehsil is not connected with railways and there is no railway line even to the tehsil headquarter situated in plain area. The Jodhpur Mail (Jodhpur to Delhi *via* Ratangarh) introduced during pre-independence era was discontinued on 01 November 1993 ignoring the inconvenience caused to the public at large. The inhabitants of the area have to travel in overcrowded buses for want of rail network. The petitioners also stated that the area is endowed with rich stock of gypsum. But the industry could not develop properly for want of cheaper transportation. According to the petitioners if these railway routes are opened, the fare revenue will boost up many times besides freight revenue. Most of the members of the Zonal Railway Consultative Committee are taken from other States. The petitioners, therefore, requested that a special provision in the Railway Budget may be made by allocating fund of Rs. 274 crore for railway projects in the area for laying of new tracks and the gauge conversion of existing line Ratangarh West to Sardarshahar. The petitioners also requested that survey for Sardarshahar to Sadulpur *via* Taranagar and Sardarshahar to Suratgarh may also be commenced and the Jodhpur Mail may also be restored within a time frame. In this regard, the petitioners also suggested that the funds available in Central Road Fund (CRF) may be converted to Central Surface Transport Fund for its utilization for construction of new railway tracks.

2.2 The petition was referred to the Ministry of Railways on 06 February 2009 for their comments thereon in order to determine the admissibility of the petition before its presentation to the Lok Sabha. However, due to dissolution of 14th Lok Sabha, the petition could not be presented to the House and as a result thereof, the matter could not be taken up for further examination. However, the comments of the Ministry of Railways in the matter were received *vide* their communication dated 31 August 2009 as under:—

“Rail infrastructure development is undertaken on National basis based upon their financial viability operational advantages, regional development, socio-economic consideration, etc. Indian Railway has a network of 63273 km and Rajasthan has the second largest route length of 5683 km. Route km per 1000 km in Rajasthan is 16.61 against national average of 19.24. On population basis,

Rajasthan has 10.06 km route length per lakh of population as against 4.11 km route length per lakh in Bihar and 6.15 km route length per lakh on all India average.

Railways have a huge throw forward with limited availability of resources of all the ongoing railway projects in the country as a result of which the ongoing projects take a long time in completion. At present four new line projects of length 413.87 km and 7 gauge conversion projects of length 1888.51 km and 4 doubling projects for a length of 164.53 km are being progressed as per the availability of resources. During the year 2009-10, an allocation of Rs.671.91 crore has been provided for these ongoing projects:

- (i) *Surveys for Sardarshahar-Taranagar-Sadulpur (100 km approx.) and Sardarshahar-Suratgarh (120 km approx.) new lines*

Sardarshahar-Taranagar-Sadulpur, Sardarshahar-Suratgarh new lines having a combined length of 220 km will cost at least Rs.1000 crore. Railways have a huge throw forward of ongoing projects with limited availability of resources. It may not be feasible to take up these new line projects for the present.

- (ii) *Gauge conversion of Sardarshahar-Ratangarh rail line*

A 43.5 km long Metre Gauge Branch Line exists between Sardarsahar-Ratangarh. Conversion of this line has not been considered in view of very limited potential of traffic.

- (iii) *Restoration of Jodhpur Mail Train*

At present two pairs of trains viz. 2463/2464 Rajasthan Sampark Kranti Express and 4059/4060 Delhi-Jaisalmer Express both running via Alwar-Bandikui-Degana are catering to the needs of Jodhpur-Delhi section. 4893/4894 Delhi-Jodhpur Mail used to run via Delhi-Rewari-Sadulpur-Churu-Degana-Merta Road. At present Sadulpur-Churu-Ratangarh-Degana is not on Broad Gauge. As such running of Broad Gauge train on the path of erstwhile Jodhpur Mail is not feasible due to break of gauge.”

2.3 After constitution of 15th Lok Sabha, Shri Mani Ram Sharma, one of the signatories of the aforesaid petition, again represented to the Committee in the matter.

2.4 The Committee took up the representation for examination in accordance with Direction 95 of the Directions by the Speaker, Lok Sabha and the Ministry of Railways (Railway Board) were requested on 06 October 2009 to furnish their para-wise comments on the representation of Shri Mani Ram Sharma.

2.5 In their response, the Ministry of Railways (Railway Board) vide communication dated 19 October 2009 furnished the following comments:—

- “1. The comments offered in the note enclosed to Board’s OM of even No. dated 31.08.2009 are based on facts.

2. The note enclosed to Railway Board's communication dated 31.08.2009 is a result after processing of the petition received *vide* Lok Sabha Secretariat's O.M. No. 10/PCB/2009 dated 06.02.2009.
3. Considering huge throw forward with limited availability of resources and the fact that Rajasthan is having second largest route km, it was not considered feasible to take up new projects. However, Board has now approved techno-economic survey for construction of 220 km Sardarshahar-Taranagar-Sadulpur and Sardarsahar-Suratgarh new lines and 44 km Sardarshahar-Ratangarh GC.
4. Indian Railway has a network of 63273 km and Rajasthan has the second largest route length of 5683 km. Route km per 1000 Sq. km in Rajasthan is 16.61 against national average of 19.24. On population basis, Rajasthan has 10.06 km route length per lakh of population as against 4.11 km route length per lakh in Bihar and 6.15 km route length per lakh on all India average."

2.6 While commenting with reference to the list of points referred to them, the Ministry informed the Committee as under:—

“The Gauge conversion of Sadulpur-Bikaner and Ratangarh-Degana in this area has been taken up and works are in full swing. Sadulpur-Ratangarh-Degana (252 km) is targeted for completion during 2009-10. The track linking has already been completed and engine rolling has been done. Ratangarh-Sardarshahar is a small branch line of 45 km length of which gauge conversion has not been sanctioned in view of very limited potential of traffic.

A Techno-Economic survey with Traffic studies has recently been sanctioned for:—

- (i) Gauge conversion of Ratangarh-Sardarshahar with extension to Suratgarh.
- (ii) New line from Sardarshahar to Sadulpur.”

2.7 Reacting to the claim of the petitioner that tehsil Sardarshahar in the State of Rajasthan have not received any budgetary allocation during the last 60 years, the Ministry in their written reply stated as under:—

“The allocations in the Budget are not made Tehsil-wise. However, the funds are allocated to various projects based upon the progress and their priority. In Budget 2002-03, State-wise formula for distribution of funds to various projects was announced. A large number of projects have been completed in Rajasthan. As on 01.04.92, Rajasthan had 4591 km of MG/NG lines out of which 2757 km (60%) has already been converted. Further, Gauge conversion of 1455 km is in progress. The new line of Kolayat-Phalodi (111 km) was completed in the recent past.

As regards restoration of the erstwhile Delhi-Jodhpur Mail, the feasibility will be examined after gauge conversion of the entire route.”

2.8 When asked about the share of the State of Rajasthan in the plan outlay in proportionate to its area during the last 60 years for the development of Railway

network *vis-a-vis* other States in the country, the Ministry in their written reply stated as under:—

No such information has been maintained regarding allocation of funds during the last 60 years. However, funds allocated to various projects falling fully/partly in the State of Rajasthan in the last few years have been as under:—

Year	Allocation of funds to various projects in the State (Rs. in crore)
2006-07	778.30
2007-08	673.78
2008-09	908.88
2009-10	808.15

2.9 On being asked about who constitute Zonal Railway Consultative Committee and the present composition of the Northern-Western Zonal Railway Consultative Committee, the Ministry in their written reply stated as under:—

- “(i) The decision to reconstitute ZRUCC is taken at the level of Hon’ble Minister for Railways.
- (ii) The present composition of ZRUCC/North Western Railway is given as under:—

Composition of Zonal Railway Users’ Consultative Committee(ZRUCC) North Western Railway

1. Principal Chamber of Commerce and Trade Association - 5
 - (i) District Chamber of Oil Industry Society, Sriganganagar
 - (ii) All India Small and Medium Newspapers Federation
 - (iii) Rajasthan Chamber of Commerce and Industry, Jaipur
 - (iv) Kishangarh Marble Association, Kishangarh
 - (v) Mewar Chamber of Commerce and Industry, Bhilwara
2. Registered Passenger Association - 2
 - (i) Rail Road Passenger Association, Mandi Dabawali
 - (ii) Mewar Passenger Relief Society, Bhilwara
3. Public Sector Undertaking - 2
 - (i) Rajasthan Tourism Development Corporation
 - (ii) Rajasthan State Mines & Minerals Limited.
4. Agricultural Association - 2 (Awaited)
5. Consumer Protection Organisation - 1
 - (i) Ubbhokta Margdarshan Samiti, UMAS, Jodhpur

6. GM's special Nominee - 1
 (i) Sh. D.K. Jain, Retired, Member, Rajasthan Water Supply Board, Jaipur
7. Representatives of State Governments of NWR jurisdiction - 4 (Awaited)
 (1 each from Rajasthan, Gujarat, Punjab & Haryana)
8. Representatives of State Legislative Assembly of - 4 (Awaited)
 NWR jurisdiction (1 each from Rajasthan, Gujarat,
 Punjab & Haryana)
9. Member Parliament (10 Nos. — 7 LS, 3 RS) - Awaited (To be advised
 by Ministry— of Parliamentary Affairs)
10. Special interest of Railway Ministers Nominees (8 Nos.) – Nil (To be
 nominated by Hon'ble Minister for Railways)
11. Each Union Minister can nominate one nominee serving his/her
 constituency—
 (i) Shri Mangi Lal Jain, S/o Sh. Hazari Mal, P. No.2, Mahavir Colony, Pushkar
 Road, Ajmer City – 305001 (Nominated by Sh. Sachin Pilot, Hon'ble Minister
 of State for Communication & IT)
12. Non-official representative of DRUCCs will be elected in DRUCC Meeting
 after Reconstitution (4 Nos.)”

2.10 The Committee desired to know the reaction of the Ministry of Railways on
 the claim of the petitioner that members of the Consultative Committee are taken from
 other States , the Ministry in their written reply stated as under:—

“As per the constitution of Zonal Railway Users' Consultative Committee
 (ZRUCC), representation is given to the following interests:—

- | | |
|--|--|
| (1) State Government Representatives – one
each from the States served by the Railway–
To be recommended by the concerned State
Government. | Depends upon the States
served by the Zone |
| (2) One Member each from the State Legislature–
To be recommended by the concerned State
Governments. | -do- |
| (3) Principle Chambers of Commerce & Trade
Associations having a standing of not less
than five years. | 05 |
| (4) Representatives of Agricultural Associations–
To be recommended by the State Government. | 02 |
| (5) One elected representative from each of the
DRUCC. | Depends upon the
number of Divisions being
served by the Zone. |
| (6) Representative from Public Sector
Undertakings including Ports in the case of
Railways serving Ports (on NF Railway only | 02 |

one Public Sector Undertaking is given representation)

- | | | |
|---------------------------|---|--|
| (7) | Registered Passengers' Association | One from each of the States, which have a sizable route kilometerage. |
| (8) | Consumer Protection Organisation | 01 |
| (9) | Members of Parliament (7 from Lok Sabha and 3 from Rajya Sabha) | 10 |
| (10) | One nominee each of Union Minister | Depends upon the number of Union Ministers whose constituency falls within the jurisdiction of the Zone. |
| (11) Special Interests: — | | |
| (i) | Nomination by General Manager | 01 |
| (ii) | Nomination by Minister for Railways | 08 |

The only category in which there is a possibility of nomination of persons outside the States serving the zone is under the category of 'special interest'. Till date no person has been nominated under this category on ZRUCC/North Western Railway."

2.11 When queried whether the whole of Taranagar Tehsil including its headquarter has no rail lines and whether all the Tehsils in the country have been linked with railway network, the Ministry in their written reply stated as under:—

"There is no such policy of connecting the Tehsils by railway line. No such data is being maintained in the Ministry. Taranagar is not connected by rail line."

2.12 In reply to a question about discontinuation of Jodhpur Mail (Jodhpur to Delhi *via* Ratangarh) introduced during pre-independence era, the Ministry in their written reply commented as under:—

"In 1992, Ministry of Railways embarked on gauge conversion on a very large scale as per unigauge policy. 4893/4894 Delhi-Jodhpur Mail (Meter Gauge) *via* Ratangarh-Degana-Merta Road had to be cancelled due to gauge conversion works on the sections enroute. The section between Jodhpur-Degana was converted into Broad Gauge (BG) and the section from Degana to Rewari *via* Ratangarh-Sadulpur remained on Meter Gauge (MG). However, the following trains are available for Delhi-Jodhpur Passengers *via* Jaipur on BG route.

1. 2461/2462 Delhi-Jodhpur Mandor Express
2. 2463/2464 Delhi-Jodhpur Sampark Kranti Express (tri-weekly)
3. 4059/4060 Delhi-Jaisalmer Express

Consequent to the gauge conversion of Jodhpur-Degana route, the Metre Gauge portion of Ratangarh remained connected to Delhi via Rewari upto 2007. The route between Rewari and Sadulpur was converted to Broad Gauge in 2008-09 and at present 2 pairs of Passenger trains between Rewari-Sadulpur (from 26.01.2009) and 4705/4706 Delhi-Sadulpur Express (tri-weekly) (from 30.8.2009) are running on the section. Ratangarh area and onwards to Bikaner is expected to be connected with Delhi-Sadulpur section upon completion of the gauge conversion.”

2.13 When asked about the Government’s proposal to revive the said railway route, time required to complete it and the problems faced by the Government to do the same, the Ministry in their written reply submitted as under:—

“Jodhpur mail was earlier running on meter gauge between Jodhpur and Delhi via Merta Road, Degana, Ratangarh, Sadulpur, Rewari. The metre gauge route got broken due to conversion of Jodhpur-Degana to broad gauge. This route will get revived after conversion of Degana-Ratangarh-Sadulpur which is targeted for completion by 31.03.10. Sadulpur-Rewari-Delhi has already been converted to broad gauge.”

2.14 The Committee desired to know as to whether the Government has received any representation from the people of the area to revive the Jodhpur Mail and the action taken by the Government thereon. The Ministry in their written reply stated as under:—

“Some representation have been received. The feasibility of restoration of the erstwhile Delhi-Jodhpur Mail will be examined after gauge conversion of the entire route.”

2.15 When asked whether the Government has closed down the alternate routes to Mumbai, Ahmedabad etc. as claimed by the petitioner, the Ministry informed as under:—

“No such alternative route is closed down for Ahmedabad and Mumbai.”

2.16 About the criteria/guidelines of the Government to introduce new trains and/or gauge conversion, the Ministry in their written reply stated as under:—

“The policy followed for selection of routes to be taken up for gauge conversion under Project Uni-gauge has been as under:—

- (i) To take up conversion of lines to develop alternative BG routes obviating the need for doubling existing BG lines on these routes;
- (ii) To establish new BG links between stations connected by other BG lines;
- (iii) To establish BG connection to ports, industrial centres and locations having potential for growth;
- (iv) To take up conversion of lines required on strategic considerations;
- (v) To minimize trans-shipment and to improve wagon turn around by avoiding delays at trans-shipment points; and

- (vi) To carry out the conversion of lines as per the above policy at least cost yet providing a standard of service not lower than what the rail users were getting on the MG.

Introduction of new trains is a continuous process on the Indian Railways. The decision to introduce and cancel trains is taken depending upon the following factors:—

- (a) Patronization/demand for travel on any particular sector.
- (b) Availability of resources — rolling stock including locomotives and coaches.
- (c) Availability of terminal infrastructure such as pit lines, stabling lines and platform lines.
- (d) Availability of manpower for maintenance and safe operation of trains.
- (e) Availability of spare line capacity so that the path and schedule for the train can be fixed.”

2.17 In response to a question about the contribution of the State Governments and guidelines thereto in terms of finance and logistic support to any railway project in the State, the Ministry informed as under:—

“There is no such specific policy in this regard. However, State Governments have been requested to share atleast 50% of the cost of ongoing new line and gauge conversion projects in the State. Some of the State Governments have come forward for participation in the ongoing projects.”

2.18 On being enquired about the effective steps taken by the Government to introduce cost effective rail facility to the people of the country in general and Rajasthan in particular, the Ministry in their written reply stated as under:—

“The list of trains introduced/proposed for Rajasthan during last 3 years is enclosed as Annexure.”

2.19 Responding to the claim of the petitioner that the proposed railway routes by the petitioner in the area would boost the revenues of railways by means of freight as well as passenger fare and the current amount of revenue generated by Sardarshahar Railway Counter from all sources, the Ministry in their written submission stated as under:—

“The survey conducted earlier for gauge conversion of Ratangarh-Sardarsahar with extension to Hanumangarh in this area in the year 1999-2000 had indicated a Rate of Return as (-) 25.88 %. Total amount of revenue generated by Sardarshahar Railway Station *w.e.f.* April,2008 to March, 2009 is Rs. 2,09,65,216.”

2.20 When queried about the initiative undertaken by the Ministry to promote tourism in the country particularly in Rajasthan, the Ministry in their written reply responded as under:—

“The Indian Railways facilitates tourism in the country by providing connectivity to most of the important tourist destinations. In the case of Rajasthan, most of

the important tourist destinations are already well connected by rail. Further, the Indian Railway also operates two Luxury Tourist Trains *i.e.* Palace on Wheels and Royal Rajasthan on Wheels in Rajasthan as against the total number of 4 Luxury Tourist Trains in the Indian Railway system. The itinerary of these trains are decided by the State Tourism Corporations”.

2.21 In response to a question as to whether the Government have received any representations from public for survey and construction of new rail lines for Sardarshahar to Sadulpur *via* Taranagar and Sardarshahar to Suratgarh and the action taken by thereon, the Ministry in their written reply stated as under:—

“Number of demands are being received for the construction of new lines throughout the country. The papers received, if any, in regard to the above mentioned two lines are not readily traceable. However, based on demands, survey for the two lines has been sanctioned recently.”

2.22 As regards the allocation of fund for survey work for construction of new railway line in the area, the Ministry informed as under:—

“The surveys for new line from Churu-Taranagar and gauge conversion of Ratangarh-Sardarshahar with extension to Hanumangarh had been conducted earlier for which fund to the tune of Rs. 13.09 lakhs is allocated. Further, a survey for Churu-Taranagar-Nohar new line has been included in Budget 2009-10 at a cost of Rs. 21 lakh.”

2.23 Responding to the suggestion of the petitioner that the funds available in Central Road Fund (CRF) may be converted to Central Surface Transport Fund (CSTF) for financing construction of new railway tracks, the Ministry in their written reply stated as under:—

- “(i) Central Road Fund has been created as per Section 7(iv) and 10(viii) b (ii) of the Central Road Fund Act, 2000. It is funded through levy of cess on diesel and petrol. Railway’s share is 12.5% of 50% of cess on HSD and entire cess collected on Petrol.
- (ii) It is primarily for the purpose of construction of road, road over and under bridges, manning of level crossing on the Indian Railways. Money of CRF cannot be diverted to any other work. The fund allocated in the Railway is segregated by creating two new Plan Heads, Road Safety Works, Level Xing and Road Safety Works and ROB/RUBs (Plan Head No. 30).
- (iii) On Indian Railways about 830 ROB’s have been sanctioned on cost sharing basis. The Railway share is of the order of Rs. 5,223.41 crore. In addition, there are 915 Level Xing where TUVs is more than 1 lac and thus all qualify for ROB RUB construction. With the average cost of around Rs. 20 crore per ROB, the total cost of construction of additional ROB will be around Rs. 18,300 crores where Railway share will be around Rs. 9150 crore. Similarly, in the level crossing there are 990 unmanned level crossings, which qualify for manning. The cost of manning alone is about Rs. 150 crore. Thus rail needs about Rs. 14,523 crore for completion of Road safety works.

- (iv) Whereas the allotment of fund out of CRF has been in the order of Rs.781 (2005-06) to Rs. 961 (2009-10), with this allotment, it will take about 15 years to complete all Level Crossing, ROB/RUB works.

In view of above, CRF fund should not be converted to Central Surface Transport fund for financing construction of new railway track.”

2.24 On being enquired as to whether the Government has any proposal for laying new tracks in tehsil Sardarshahar, the Ministry in their written reply stated as under:—

“The survey for new lines and gauge conversion has been taken up. Further decision on the projects will be taken based on the result of the survey.”

2.25 On being asked as to whether the Government has any proposal for gauge conversion of existing railway line from Ratangarh West to Sardarshahar, the Ministry in their written reply stated as under:—

“There is no proposal at present for taking up gauge conversion of Ratangarh-Sardarshahar. However, the survey for gauge conversion of Ratangarh-Sardarshahar with extension to Suratgarh has been sanctioned. Further decision on the projects will be taken based on the result of the survey.”

2.26 While in their initial communication dated 31 August 2009, the Railway Board informed that it may not be feasible to take up new line projects (Sardarshahar Taranagar-Sadulpur, Sardarshahar-Suratgarh) for the present, in their subsequent comments dated 19 October 2009, they have stated that the Railway Board have now approved techno-economic survey for construction of aforesaid lines. When the Committee desired to know the date on which the said proposal was approved by the Board and the reasons for taking a different stand contrary to the stand taken earlier, the Ministry in their written reply clarified as under:—

“The surveys are taken up based on demands raised in various forums. The reply was given indicating that it may not be feasible to take up new line projects for the present in view of the huge throw forward of ongoing projects, limited availability of resources and new line projects being by and large uneconomical. However, since the demand had again been received through the Committee on Petitions, the decision was reviewed and it has been decided to take up the survey. The proposal was approved by the Board on 19.10.09.”

2.27 When the Committee desired to know the total annual budget of the Ministry of Railways and out of which how much fund has been earmarked for development of railway network in Rajasthan and the details of railway network likely to be developed/constructed in the State during the 11th Plan, the Ministry in their written reply stated as under:—

“No such data is being maintained regarding allocation of Budget Outlay to various States. However under the plan heads new line, gauge conversion and doubling, Railway Electrification and MTP an outlay of Rs. 808.15 cr. has been provided during 2009-10 for various projects falling in Rajasthan out of total allocation of Rs. 13632.39 cr. The targets for the 11th plan have been plan

head wise and yearly targets are being fixed based on allocation of funds and progress of projects. The projects which have been completed in the first 2 years of the plan period are as under:—

- i. Gauge conversion of Pipar Road-Bilara (41 km.).
- ii. Gauge conversion of Rewari-Sadulpur-Hissar (211 km.).
- iii. Gauge conversion of Rewari-Phulera (210 km.).

During the current year, following projects are targeted for completion:

- i. Gauge conversion of Phulera-Ajmer (80 km.).
- ii. Gauge conversion of Bhildi-Samdari (223 km.).
- iii. Gauge conversion of Sadulpur-Ratangarh-Degana (252 km.).
- iv. Doubling of Jaipur-Dausa (61 km.).
- v. Doubling of Alwar-Harsauli (35 km.).

At present, four new line projects of length 413.87 km. and 7 gauge conversion projects of length 1888.51 km. and 4 doubling projects for a length of 164.53 km. are being progressed as per the availability of resources. During the year 2009-10, an allocation of Rs. 671.91 crore has been provided for these ongoing projects.”

2.28 When asked about the top 5 States in terms of rail route length and the various parameters which Railway consider important before taking up any new extension programme the Ministry in their written reply stated as under:—

“The details of top 5 States in terms of rail route length are given as under:—

Sl. No.	Name of State	Population based on 2001 census of India	Route Kms.	Route kms. per lakh of Population as on 31.3.2008	Route kms per 1000 sq. kms. of area as on 31.3.2008
1.	Uttar Pradesh	166052859	8553.56	5.15	35.50
2.	Rajasthan	56473122	5683.01	10.06	16.61
3.	Maharashtra	96752247	5535.80	5.72	17.99
4.	Gujarat	50671017	5328.18	10.52	27.18
5.	Andhra Pradesh	76210007	5170.42	6.78	18.80
6.	All India Average	1028151569	63273.15	6.15	19.24

The above statistical data is only indicative of the route length in various States and there is no policy on bringing all the States to the same level. The projects are taken up based on traffic potential and other criteria.”

2.29 On being enquired about the lower route km. per 1000 sq. km. in Rajasthan as compared to the national average and the initiatives taken by the Government to bring it at par with the national average, the Ministry informed as under:—

“Government has no policy to have railway network proportionate to the area/population of the individual States of the country. However, it has been the endeavour of the Railways to expand the railway network throughout the country to provide rail connectivity to remote, hilly and backward areas. The policy for taking up new line projects was enunciated by the National Transport Policy Committee 1980 and the following criteria was prescribed:—

- i. Project oriented lines to serve new industries for tapping mineral and other resources.
- ii. Missing links for completing alternative routes to relieve congestion on existing saturated routes.
- iii. Lines required for strategic reasons.
- iv. Lines for establishment of new growth centers or giving access to remote areas.

A large number of projects have been taken up primarily on socio-economic considerations.

Comparative lower route length is not the criteria for expanding the railway network.”

2.30 The Committee took oral evidence of the representatives of the Ministry of Railways on 10 November 2009.

2.31 Responding to a question about the discontinuation of Jodhpur Mail and the complaint regarding non-allocation of funds to tehsil Sardarshahar, the largest tehsil from the Railways for the last 60 years, the witness, Chairman, Ministry of Railways (Railway Board) stated as under:—

“Sir, the Jodhpur Mail was discontinued because it was a metre gauge section, and the metre gauge section was taken up for conversion to broad gauge. Therefore, the train had to be discontinued. Since we are going to commission the broad gauge line by the end of this year, the remaining section of Degana-Ratangarh-Sadulpur section is expected to be completed during the current year, and we will consider restoration of that train after it.

As far as the issue of distribution of allocation to each and every tehsil of the country is concerned, we have to submit that we are not allocating the funds tehsil-wise. It is given according to the need and according to the requirement of that region; the industry that is there; and the existing network.”

2.32. When the Committee observed that there is a largest deposit of a mineral in the particular area and hence there is economic justification for development of railway network in the area, the witness (Member, Traffic) stated as under:—

“Sir, you are right that Gypsum is there in that area, and Gypsum is even getting loaded from that area.

It is particularly from the areas which are connected with the broad gauge. Now, Sir, this survey is to exactly find out what is the scope of further traffic in that particular area which today is meter gauge. The entire area, if you recall, has already been taken for conversion. Only a small stretch from Sardarshahar-Ratangarh, which is a 45-kilometre stretch, which is an isolated section, as the Member (Traffic) has explained, it is also being surveyed. The survey, as the hon. Member says, is to exactly find out how much traffic would it be offering in terms of freight traffic as well as passenger traffic.”

2.33 When the Committee questioned the volume of traffic as the criteria for development of Railway and undertaking gauge conversion, the witness (Member, Traffic) responded as under:—

“The existing traffic today would be nil because it is a metre gauge section. You will have no access to gypsum from Sardarshahar unless it comes by road to a broad gauge point. Today, from the broad gauge point in the Bikaner area, gypsum is getting loaded. There are methods of forecasting as to how much deposit is available, which the survey results would tell us, what kind of gypsum it is and where it is going. Even today, it is moving. That kind of a good forecast can be made available that in future years how this area is going to develop. As you have rightly said, all this will be taken into account while doing the survey. Then, we will be able to do both financial analysis as well as the economic analysis to see how far this line will be financially and economically viable.”

2.34 On being enquired by the Committee about the time likely to be taken to come to a conclusion as to whether there can be railway transportation or not, the witness replied as under:—

“The survey time is six to eight months. It will take six to eight months to do it. I will also add here that, a survey from Sardarshahar to Hanumangarh, which is a little on the right of Sadulpur, was done in 1999-2000, that is, ten years back. It has a negative rate of return then. A new survey is positively going to give us very different results. We are waiting for the six to eight months completion period. Once it is completed, we will know what the financial analysis and economic analysis are, and thereafter a decision will be taken.”

2.35 When the Committee asked about the time when the decision was taken for conversion of gauge conversion and the details of the report of the last survey undertaken in this regard, the witness stated as under:—

“You are perfectly right, Sir. Wherever conversion takes place, it has been easier to transport the material, then there is economic development of that area. Now, Sir, cement industry is growing up in the country and that is why, gypsum demand is also going up. When the survey was done in 1999, this is where there is no railway line, at that particular time, whatever results were there showed that there was a negative financial rate of return. But since the cement industry has

grown up and gypsum started moving from that area, may be, the results which would be coming after survey is complete could be different. Let us wait for the results and then we will find out whether there is financial viability and economic viability. Both would determine it, and we will be able to take an intelligent decision on that.”

2.36 When the Committee questioned about the policy regarding conversion of existing meter gauge line into broad gauge and the need for fresh survey for the purpose, the witness (Member Engg.) responded as under:—

“There are two different issues that you have raised. One is about the survey, and the second is about the policy. We have two issues. Gauge conversion and a new railway line are two different areas. I would like to clarify one point. Sadulpur-Ratangarh-Bikaner up to Degana is an existing meter gauge line where broad gauge conversion is being done or will be completed. As far as Suratgarh-Sardarshahar or Suratgarh to Sadulpur is concerned, there is no metre gauge there. This is a new line. What we are saying and what the Member (Traffic) is also saying is that, this is a survey for a new line.”

The witness also added as under:—

“The distance is not 45 kilometres. From Suratgarh-Sardarshahar. It is for gauge conversion, it is an isolated section of 45 kilometres distance. But the connectivity that the petitioner has sought is for a new line all the way from Suratgarh to Sardarshahar — it is coming down from West to South, and then from South towards East. The six to eight months time that we have said is for the survey of the new line. You may kindly appreciate that we have to actually first start with the Geological Survey of India maps, then we have to get into the field also, and simultaneously some people have to go physically to that place. That is why, I said that it will take six months time on the optimistic side and eight months on the pessimistic side. But certainly, the rate of returns and financial analysis will ultimately guide us in deciding whether the new line will be justified or not.”

2.37 On being enquired as to why the survey takes so much long time in these days and whether new line is constructed only on the basis of economic consideration, the witness stated as under:—

“The first question was asked why survey takes such a long time. In this regard, I would like to submit that we get a proposal for a new line and there is a difference between the survey of a new line and that of a gauge conversion or a doubling. A gauge conversion or a doubling work is simpler and faster because already the route is there and industry is well known to us. We have to supplement what has transpired and what has been the improvement in the recent past.

As far as a new line is concerned, there are two considerations because we have to work out the economic analysis and we do the economic study. We also do the technical study, that is, the ground survey study. In this, physically the people have to get into the field. The first step, as I explained, is that we take topo-sheets from the Geological Survey of India and mark out a possible plan on

the ground. Then, we start moving on the ground. Moving on the ground means that alignment needs to be fixed on the basis of cost considerations, economic considerations, minimum disturbance to the populace or whatever it is. That takes a long time. After three or four alternatives have been worked out, then they work out rate of return for each of the alternatives and then they zero in on one of them which is the best. Between twenty years back and now, certainly the technology has changed. We have got better instrumentations like DTMs which give us a more accurate figure, but walking on foot in the field and pegging has to be done on foot itself. This is the limitation that we do face.

As far as hon. Member's question is concerned, I will not vouchsafe for that because there are new lines which are built on economic considerations and others which, as I said, are of national interest, strategic interest. In answer to Question....., we have tried to give our policy for the new lines as it exists today."

2.38 In response to a question about the basis of fund allocation to the various Railway Zones and particularly for gauge conversion and doubling of lines, the witness stated as under:—

"It is true that the Ministry of Railways provides funds for each zone. Plan head is given for each zone during the presentation of the Budget and funds are provided on the basis of the progress made, surveys conducted and their status, etc. It is not so that North-East is using its own resources. The funds are provided by the Ministry of Railways."

The witness further added as under:—

"We do it line-wise and provide funds according to the progress of the work. Where the work is in land acquisition stage, we provide less funds. Then funds are provided according to the stages of the work keeping in view progress made and finishing done. Railway Board allocates fund for every line."

Observations/Recommendations

2.39 In his representation, the petitioner has stated that tehsil Sardarshahar which is the largest tehsil comprising 210 revenue villages in district Churu, Rajasthan has not received any developmental allocation from the Railway Budget during the preceding 60 years after independence. The whole of Taranagar tehsil is not connected with Railways and there is no railway line even to the tehsil headquarter. The Jodhpur Mail (Jodhpur to Delhi via Ratangarh) introduced during pre-independence era was discontinued on 01 November 1993 ignoring the inconvenience caused to the public at large. The petitioner has also stated that the area is endowed with rich stock of gypsum. But the industry could not develop properly for want of cheaper transportation. The petitioner has, therefore, requested that a special provision in the Railway Budget may be made by allocating fund of Rs. 274 crore for railway projects for laying of new tracks in the area and the gauge conversion of existing line Ratangarh West to Sardarshahar. The petitioner has also requested that a survey for Sardarshahar to Sadulpur via Taranagar and Sardarshahar to Suratgarh may also be commenced and the Jodhpur Mail be restored within a time frame.

2.40 The Committee were informed by the Ministry of Railways that Indian Railway has a network of 63,273 km. and Rajasthan has the second largest length of 5,683 km. Further, Route km. per 1,000 km. in the State is 16.61 km. as against national average of 19.24 km. On population basis, Rajasthan has 10.06 km. route length per lakh of population as against 6.15 km. route length per lakh on all India average. Railways have a huge throw-forward of all the ongoing projects in the country with limited availability of resources as a result of which the ongoing projects take a long time in completion. Considering the huge throw forward with limited availability of resources and the fact that Rajasthan is having second largest route km. it was not considered feasible to take up new projects. However, on 19 October 2009, the Board has approved techno-economic survey for construction of 220 km. Sardarshahar-Taranagar-Sadulpur (100 km.) and Sardarshahar-Suratgarh (120 km.) new lines and gauge conversion of 45 km. long Ratangarh-Sardarshahar with extension to Suratgarh. Further, decision on the projects will be taken based on the result of the survey. As regards restoration of Jodhpur Mail, it was informed that 4893/4894 Delhi-Jodhpur Mail (Metre Gauge) used to run on the route, Delhi-Rewari-Sadulpur-Churu-Degana-Merta Road, had to be cancelled due to gauge conversion works on the sections enroute. The section between Jodhpur-Degana was converted in to Broad Gauge (BG) and the section from Degana to Rewari *via* Ratangarh-Sadulpur remained on Meter Gauge (MG). As such running of Broad Gauge train on the path of erstwhile Jodhpur Mail is not feasible due to break of gauge. However, the feasibility for restoration of the erstwhile Delhi-Jodhpur Mail will be examined after gauge conversion of the entire route. Presently, three pairs of trains, *viz.* 2463/2464 Rajasthan Sampark Kranti Express, 2461/2462 Delhi-Jodhpur Mandor Express and 4059/4060 Delhi-Jaisalmer Express are catering to the needs of Jodhpur-Delhi section. The allocations in the Budget are not made tehsil-wise and there is also no such policy to connect tehsils by railway line. The funds are allocated to various projects based upon the progress and their priority.

2.41 According to the Ministry, Rail infrastructure development is undertaken on national basis based upon their financial viability, operational advantages, regional development, socio-economic consideration, etc. It has been the endeavour of the Railways to expand the railway network throughout the country to provide rail connectivity to remote, hilly and backward areas. As per the policy/criteria, new projects are taken up for tapping mineral and other resources, to provide missing links and for strategic reasons. A large number of projects have also been taken up primarily on socio-economic considerations.

2.42 The Committee regret to note that in spite of the fact that the Railways play an important role in the overall economic development of the country, scant attention has been paid by them, over the years since independence as claimed by the petitioner, for the development of railway network of the area falling in the district Churu of Rajasthan which is reportedly endowed with rich stock of gypsum, an essential ingredient for cement and fertilizer industries. Even after a lapse of more than 16 years, no special efforts have been made by the Ministry to restore the erstwhile Jodhpur Mail which was discontinued in November 1993 causing great inconvenience to the public at large. As informed by the Ministry, besides socio-economic

considerations, one of the avowed principles /criteria of the Railways is to serve industry to tap mineral and other resources of the country. Despite this, the Railways do not seem to have made any sincere endeavour to develop and expand the railway network in the said area, as otherwise, the petitioner would not have approached the Committee for redressal of his grievances. The very fact that the Ministry have to review its earlier decision at the instance of the Committee and have now decided to undertake a techno-economic survey to take up new line project from Sardarshahar to Sadulpur and gauge conversion of Ratangarh-Sardarshahar with extension to Suratgarh, amply proves the point that the benefits of Railway are being denied to the people of the area over the years. This also goes to show the apathy and casual approach of the Ministry on the issue. The Committee deprecate this kind of callous attitude and approach of the Ministry in the matter.

2.43 During the course of evidence, the Ministry have assured the Committee that the survey for determining the feasibility for the aforesaid projects will be completed within a period of six to eight months. Further, the railway route meant for erstwhile Jodhpur Mail will be revived after gauge conversion of the entire route. The Committee, therefore, expect and hope that the Ministry will now strive to expedite the process and take up the project on a top priority basis within a strictly stipulated time frame. The Committee also desire the Ministry to earmark adequate funds for the construction of railway line and gauge conversion so that the work is not hampered on this account. The Committee would like to be apprised of the concrete action taken by the Ministry in this regard.

NEW DELHI;
1 July, 2010

10 Asadha, 1932 (Saka)

ANANT GANGARAM GEETE,
Chairman,
Committee on Petitions.

RAJASTHAN 2007-2008 :

New trains :

Sl. No.	Train No.	Date
1.	9653/9654 Ajmer-Ratlam Express	6.7.2007
2.	9655/9656 Ajmer-Ratlam Express	1.8.2007
3.	2993/2994 Jaipur-Bandra (T) <i>via</i> Ahmedabad Garib Rath (Tri-weekly)	5.2.2008
4.	2995/2996 Bandra (T)-Ajmer/Udaipur Express (Tri-weekly)	2.8.2007
5.	4701/4702 Bikaner-Jaisalmer Express <i>via</i> Kolayat	5.7.2007
6.	4703/4704 Bikaner-Jaisalmer Express <i>via</i> Kolayat	15.7.2007
7.	2991/2992 Ajmer-Udaipur City Express	6.7.2007
8.	0444/0443 Ajmer-Bhilwara Passenger (Special train)	10.9.2007
9.	9327/9328 Ratlam-Chittaurgarh Express (daily)	7.11.2007

Extension :

Sl. No.	Train No.	Upto	Date
1.	6509/6510 Ajmer-Bangalore Express	Mysore	11.2.2008
2.	2465/2466 Jodhpur-Sawai Madhopur Express	Indore	1.7.2007
3.	2315/2316 Sealdah-Ajmer Ananya Express	Udaipur	2.8.2007
4.	2413/2414 Jammu Tawi-Jaipur Express	Ajmer	28.7.2007
5.	307/308 Udaipur-Ajmer Passenger	Ajmer	27.3.2008

Frequency :

Sl.No.	Train No.	From	To	Type	From-to	Date
1.	5715/5716	Kishanganj	Ajmer	Express	Weekly to bi-weekly	4.6.2009

RAJASTHAN – 2008-2009

New Trains :

Sl.No.	Train No.	From	To	Type	Frequency	Date
1.	2983/2984	Jaipur	Chandigarh	Garib Rath	Tri-weekly	13.2.2009
2.	5667/5668	Kamakhya	Gandhidham	Express	Weekly	28.2.2009
3.	2484/2483	Amritsar	Kochuveli	Express	Weekly	25.1.2009
4.	9658/9657	Indore	Udaipur <i>via</i> RTM	Express	Tri-weekly	2.8.2008
5.	2981/2982	Udaipur	Delhi	Chetak Express	Tri-weekly	30.3.2009

Sl. No.	Train No.	From	To	Type	Frequency	Date
6	6533/6534	Yesvantpur	Jodhpur	Express	Weekly	6.7.2008
7.	2287/2288	Dehradun-	Kochuveli	Express	Weekly	22.2.2009
8.		Agra Fort	Achhnera/ Bharatpur	Express	DMU	24.2.2009
9.	4705/4706	Delhi Sarai Rohilla	Sadulpur	Express	Daily	30.8.2009
10	493/494	Rewari	Sadulpur	Passenger	Daily	26.1.2009
11.	495/496	Rewari	Sadulpur	Passenger	Daily	26.1.2009

Extension

Nil

Frequency:

Sl. No.	Train No.	From	To	Type	From	To	Date of increasing
1.	2449/2450	Nizamuddin	Madgaon	Goa Sampark Kranti Express	1	2	10.12.2008
2.	2947/2948	Ahmedabad	Patna	Azimabad Express	1	2	7.11.2008
3.	2431/2432	Nizamuddin	Thiruvan- antha- puram	Rajdhani Express	2	3	3.12.2008
4.	9269/9270	Porbandar	Motihari	Express	1	2	8.3.2009

Non-Budget**New Trains :**

Sl. No.	Train No.	From	To	Type	Frequency	Date
1.		Phulera	Rewari	Passenger	Daily	
2.		Phulera	Rewari	Passenger	Daily	
3.	204/203	Phulera	Jaipur	Passenger	Daily	12.1.2009

Extension

1.	1768/1767A	Jaipur-Kota	Shamgarh	Passenger	Nagda	6.1.2009
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Frequency:

Sl. No.	Train No.	From	To	Type	From	To	Date of increasing
1.	2059/2060	Kota	Nizamuddin	Janshatabdi Exp.	6	7	1.3.2009

RAJASTHAN - 2009-2010

New Trains :

Sl.No.	Train No.	From	To	Type	Frequency	Date
1.	8207/8208	Durg	Jaipur	Express	Weekly	
2.	2495/2496	Kolkata	Bikaner	Express	Weekly	
3.	2195/2196	Agra	Ajmer	S.F. Express	Daily	
4.	2489/2490	Dadar	Bikaner	S.F. Express	Bi-weekly	
5.	9065/9066	Bandra (T)	Jodhpur	Express	Weekly	
6.		Rewari	Phulera	Passenger	Daily	
7.	2485/2486	Sriganga Nagar	Nanded	Express	Weekly	
8.	4705/4706	Delhi	Sadulpur	Express	Tri-weekly	30.8.2009
9.	9655/9656	Ajmer	Bhopal	By integration of 9655/9656 Ratlam-Ajmer Express and 9303/9304 Ratlam-Bhopal Express	Daily	3.11.2009
10.	2937/2938	Gandhidham	Howrah	S.F. Express	Weekly	
11.	2247/2248	Delhi	Mumbai	Yuva Express	Weekly	

Extension

Sl.No.	Train No.	From	To	Type	Upto	Date of extension
1.	2985/2986	Sealdah	Jaipur	Express(Daily)	Ajmer	13.9.2009
2.	2977/2978	Earnakulam	Jaipur	Marusagar Exp. (Weekly)	Ajmer	
3.	2993/2994	Mumbai	Jaipur	Garib Rath (Tri-Weekly)	Delhi	30.8.2009

Sl.No.	Train No.	From	To	Type	Upto	Date of extension
4.	9269/9270	Porbandar	Bapudham Motihari	Express (Bi-weekly)	Muzaffarpur	
5.	315/316	Agra Fort	Achhnera	DMU	Bharatpur	27.7.2009
6.	317/318	Agra Fort	Bharatpur	DMU	Bandikui	27.7.2009

Frequency:

Sl. No.	Train No.	From	To	Type	From	To	Date of increasing
1.	2985/2986	Sealdah	Jaipur/Ajmer	Express	1	7	13.9.2009
2.	2957/2958	Ahmedabad	New Delhi	Rajdhani Exp.	6	7	31.8.2009

MINUTES OF THE SECOND SITTING OF THE COMMITTEE ON PETITIONS
(FIFTEENTH LOK SABHA)

The Committee on Petitions sat on Tuesday, 10th November, 2009 from 1500 hrs. to 1630 hrs. in Committee Room 'B', Ground Floor, Parliament House Annexe, New Delhi to take oral evidence of the representatives of the Ministry of Railways (Railway Board), Government of India.

PRESENT

Shri Anant Gangaram Geete — *Chairman*

MEMBERS

2. Shri Rajendra Agrawal
3. Shri Khiladi Lal Bairwa
4. Shri E.T. Mohammed Basheer
5. Shri Gurudas Dasgupta
6. Shri Jagdambika Pal
7. Shri Sarvey Satyanarayana
8. Shri Rakesh Singh
9. Shri Kabir Suman

SECRETARIAT

1. Shri N.K. Sapra — *Additional Secretary*
2. Shri V.R. Ramesh — *Director*
3. Shri U.B.S. Negi — *Additional Director*
4. Shri Hulasi Ram — *Deputy Secretary*
5. Smt. Jagriti Tewatia — *Under Secretary*

WITNESSES

MINISTRY OF RAILWAYS (RAILWAY BOARD)

1. Shri S.S. Khurana — *Chairman*
2. Shri Rakesh Chopra — *Member Engg.*
3. Shri Shri Prakash — *Member Traffic*
4. Shri S.K. Malik — *Additional Member/Civil Engg.*
5. Shri Samar Jha — *Additional Member/Budget*
6. Shri Ashok Kumar — *Executive Director /Tourism & Catering*
7. Shri Jagmohan Gupta — *Executive Director/Finance (budget)*
8. Shri P.V. Vaidialingam — *Executive Director/Expenditure-I*
9. Shri P.K. Sanghi — *Executive Director/Works*
10. Shri Mukesh Nigam — *Executive Director/ Coaching*

** ** ** ** **

2. At the outset, the Chairman welcomed the representatives of the Ministry of Railways (Railway Board) and drew their attention to Direction 55(1) of the Directions by the Speaker regarding confidentiality of the proceedings.

Ministry of Railways

3. Thereafter, the Committee undertook representation from Shri Mani Ram Sharma regarding development of railway network in district-Churu, Rajasthan for oral evidence of the representatives of Ministry of Railways.

4. The following issues/points were discussed by the Committee:—

- (i) No allocation of funds since Independence for development of railway network in Sardarshahar in Rajasthan.
- (ii) Restoration of Jodhpur Mail after completion of gauge conversion.
- (iii) No allocation of funds tehsil-wise and the funds are allocated as per the need of the region and the existing work.
- (iv) Economic justification for development of railway network in the area owing to presence of a large deposit of Gypsum.
- (v) Survey to find out the scope of traffic in terms of freight as well as passenger.
- (vi) Economic viability and potential of the area instead of traffic should be the criteria for development of railway network of the area.
- (vii) The time needed for conducting survey and analysis thereof and the financial as well as economic viability of the railway line after conversion from metre gauge into broad gauge.
- (viii) Policy of Government regarding survey for conversion of metre gauge into broad gauge.
- (ix) Gauge conversion and laying a new railway line are two different issues. While Sadulpur-Ratangarh-Bikaner upto Degana is an existing metre gauge line which is being converted into broad gauge. Suratgarh-Sardarshahar or Suratgarh to Sadulpur is a new line for which survey is being conducted which would take 6 to 8 months.
- (x) Specific reasons for taking long time for survey and the funds for the purpose.
- (xi) New lines based on socio-economic consideration or national/strategic interest and economic viability.
- (xii) Criteria for allocation of funds for railway line.

** ** ** ** **

5. A copy of the verbatim proceedings of the sitting of the Committee was kept on record.

*The witnesses then withdrew.
The Committee then adjourned.*

ANNEXURE-III

MINUTES OF THE TENTH SITTING OF THE COMMITTEE ON PETITIONS
(FIFTEENTH LOK SABHA).

The Committee on Petitions sat on Thursday, the 11th March, 2010 from 1500 hrs. to 1650 hrs. in Committee Room 139, First Floor, Parliament House Annexe, New Delhi to take oral evidence of the representatives of the Ministry of Environment and Forests and the concerned State Government officials of Maharashtra.

PRESENT

Shri Anant Gangaram Geete — *Chairman*

MEMBERS

2. Shri Rajendra Agrawal
3. Shri Khiladi Lal Bairwa
4. Shri E.T. Mohammed Basheer
5. Shri N.S.V. Chitthan
6. Shri Gurudas Dasgupta
7. Shri Jagdambika Pal
8. Prof. Ram Shankar
9. Shri Rakesh Singh
10. Dr. Sanjay Sinh
11. Shri Joseph Toppo

SECRETARIAT

1. Shri N.K.Sapra — *Additional Secretary*
2. Shri Ashok Sarin — *Joint Secretary*
3. Shri V.R. Ramesh — *Director*
4. Shri Hulasi Ram — *Deputy Secretary*

WITNESSES

Ministry of Environment and Forests

1. Shri R.H. Khwaja — *Special Secretary*
2. Shri Rajneesh Dube — *Joint Secretary*
3. Shri Rajiv Gauba — *Joint Secretary*
4. Dr. Nalini Bhat — *Advisor*
5. Dr. S.P. Gautam — *Chairman (CPCB)*
6. Dr. R.M. Kharab — *Chairman, Animal Welfare*

Officials of State Govt. of Maharashtra

1. Mrs. Valsa Nair Singh — Secretary, Govt. of Maharashtra
 2. Dr. B.N. Patil — Deputy Secretary, Govt. of Maharashtra
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2. At the outset, the Chairman welcomed the representatives of the Ministry of Environment and Forests and the concerned State Government officials of Maharashtra. The Chairman, then drew their attention to Direction 55(1) of the Directions by the Speaker regarding confidentiality of the proceedings.

3. The Chairman, thereafter, referred to the representation received from Shri Vijay Zunzarrao, Chairman, Electricity and Construction Samittee, Alibag Municipal Council and others regarding cancellation/withdrawal of Notification dated 22nd April, 2003 issued by the Ministry of Environment and Forests, Government of India. The Secretary of Environment and Forests and concerned State officials of Maharashtra explained that if there is any notification in CRZ, it shall be based on the actual difficulties which are faced by the local people. For this purpose objections and suggestions are invited from various public. Ministry is processing in drafting a new notification and it will be for enhancement of protection to fishing community. Pointing out the amendment in the notification of 22nd April, 2003 they stated that the permission for less than Rs. 5 crores, it is the power of the State Coastal Zone Management Authority and they are cleared within 30 days. For the project more than Rs. 5 crores, permission of Central Government is needed. The procedure is transparent and applicants need not to be bothered to go with State authorities. They further informed that a new format for expediting any project proponent had been made to do it at the easiest. Everything is clear in that format and it is web-enabled. It is like a questionnaire by which filling it all the project details come. After adopting this procedure the matter may go to the concerned authorities and within the 30 days the project will get either recommended or rejected.

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4. A copy of the verbatim proceedings of the sitting of the Committee was kept on record.

The witnesses then withdrew.

The Committee then adjourned.

MINUTES OF THE SEVENTEENTH SITTING OF THE COMMITTEE ON
PETITIONS (FIFTEENTH LOK SABHA).

The Committee on Petitions sat on Thursday, 01st July, 2010 from 1430 hrs. to 1530 hrs. in Committee Room 'D' Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

Shri Anant Gangaram Geete — *Chairman*

MEMBERS

2. Shri Gurudas Dasgupta
3. Shri Jagdambika Pal
4. Prof. Ram Shankar
5. Dr. Sanjay Sinh

SECRETARIAT

1. Shri Ashok Sarin — *Joint Secretary*
2. Shri U.B.S. Negi — *Additional Director*
3. Shri Hulasi Ram — *Deputy Secretary*
4. Shrimati Jagriti Tewatia — *Under Secretary*

2. At the outset, the Chairman welcomed the Members of the Committee and then the Committee considered and adopted the Seventh Report (2nd Chapter) and Ninth Report with minor corrections.

3. The Committee also authorized the Chairman to finalize and present the Reports to the House.

The Committee then adjourned.