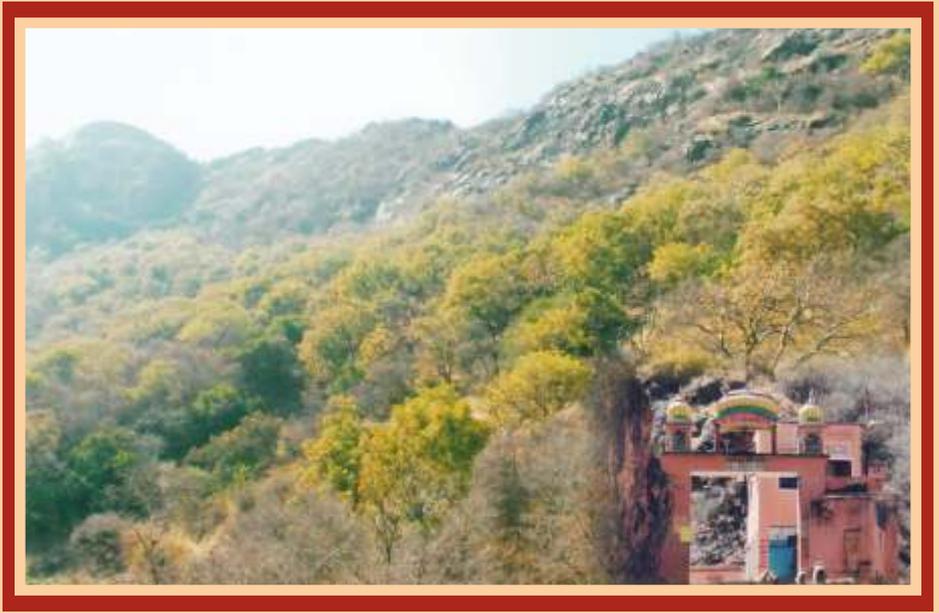




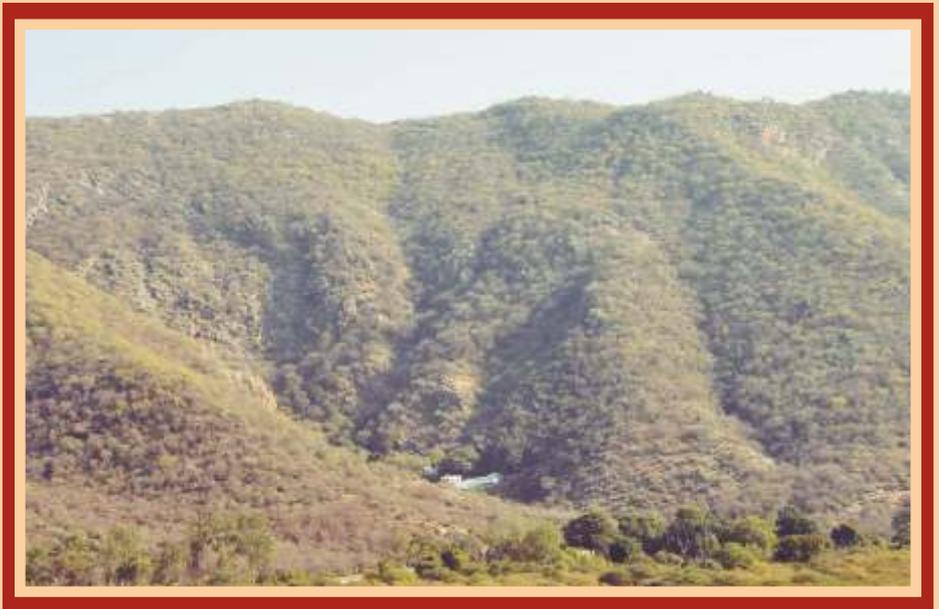
Guidelines
for Identification, Notification and Management of
BIODIVERSITY HERITAGE SITES



Rajasthan State Biodiversity Board, Jaipur



Chappoli-Mansa Mata, Jhunjhunu



Nag-pahar, Ajmer



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and Management of
BIODIVERSITY HERITAGE SITES



Rajasthan State Biodiversity Board, Jaipur



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सत्यमेव जयते

डॉ. एस.एस. चौधरी

अध्यक्ष

राजस्थान राज्य जैव विविधता बोर्ड

जयपुर

संदेश

राजस्थान राज्य अपनी विशिष्ट भौगोलिक एवं प्राकृतिक विशिष्टताओं के साथ-साथ विरासतीय महत्त्व की सम्पदा से भी सम्पन्न राज्य है। विगत वर्षों में जनसंख्या में बढ़ोतरी से जैव संसाधनों पर अप्रत्याशित भार पड़ा है। इससे जैव विविधता से सम्पन्न विरासतीय स्थलों का हास हो रहा है। इन स्थलों की पहचान कर इन्हें पुनः विकसित एवं पुनः स्थापित किया जाना अति-आवश्यक है।

जैव विविधता अधिनियम, 2002 एवं राजस्थान जैव विविधता नियम, 2010 में प्रदत्त प्रावधानानुसार विरासतीय स्थलों की पहचान कर इनके विकास हेतु योजना बनायी जानी है।

इस क्रम में राष्ट्रीय जैव विविधता प्राधिकरण द्वारा दिशा-निर्देश जारी किये गये हैं। उक्त दिशा-निर्देशों को स्थानीय लोगों के लिए अधिक उपयोगी एवं मार्गदर्शक बनाने के उद्देश्य से हिन्दी भाषा में रूपान्तरण किया गया है। मुझे पूर्ण विश्वास है कि यह पुस्तिका जैव विविधता संरक्षण में रुचि रखने वाले समस्त हितधारकों के लिए उपयोगी साबित होगी।

(डॉ. एस.एस. चौधरी)



सत्यमेव जयते

दीपक भटनागर
सदस्य सचिव
राजस्थान राज्य जैव विविधता बोर्ड,
जयपुर

प्राक्कथन

जैव विविधता से सम्पन्न राजस्थान राज्य सांस्कृतिक विरासत से भी अति समृद्ध है। प्राचीनकाल से ही राज्य में विभिन्न रियासतों द्वारा प्राकृतिक सम्पदा से सम्पन्न क्षेत्रों को संरक्षित एवं पवित्र बनाये रखने के सतत् प्रयास किये गये हैं, जिसके फलस्वरूप राज्य में अनेक विरासतीय जैव विविधता स्थल आज भी विद्यमान हैं। इन विरासतीय स्थलों का संरक्षण किया जाना आज के समय की सर्वोच्च प्राथमिकता है।

उक्त लक्ष्य प्राप्ति में वर्तमान में जैव विविधता प्रबंधन समितियों का सर्वप्रमुख दायित्व है। उक्त पुस्तक जैव विविधता प्रबंधन समितियों के इस महती दायित्व को पूर्ण करने में अत्यंत उपयोगी रहेगी, यह मेरा विश्वास है।

उक्त पुस्तक को सरल भाषा में प्रस्तुत कर व्यावहारिक बनाने में श्री के.के. गर्ग, पूर्व सदस्य सचिव, राजस्थान राज्य जैव विविधता बोर्ड एवं श्री धर्मवीर सिरोही, पूर्व मुख्य प्रबंधक (तकनीकी) का अति महत्वपूर्ण योगदान रहा है, जिसके लिये वे प्रशंसा के पात्र हैं।

मैं आशा करता हूँ कि यह पुस्तक जैव विविधता प्रबंधन समितियों को विरासतीय स्थल चयन कर उन्हें संरक्षित करने में मार्गदर्शक रहेगी।

शुभकामनाओं सहित।

(दीपक भटनागर)



Guidelines for Identification, Notification and Management of Biodiversity Heritage Sites

1. Introduction

- 1.1 Biodiversity is closely linked to ecological security and therefore, human welfare. Increasing concerns about dwindling biological resources and fears of misappropriation led the countries around the world to adopt the Convention on Biological Diversity (CBD) in 1992. This Convention for the first time, recognized sovereign rights of the nations over their biological resources and emphasized that access to genetic resources should be only for environmentally sound purposes and should be subject to national legislations. India is one of the mega biodiversity countries and is also the signatory to the CBD. Taking cognizance of the provisions of the CBD, and to deal with the management of country's biological resources, Government of India has enacted the Biological Diversity Act, 2002 (BDA). The Biological Diversity Rules were notified in 2004.
- 1.2 The Biological Diversity Act provides for and to deal with the challenges of conservation of biological diversity, sustainable use of its components and fair and equitable sharing of benefits arising out of the use of biological resources and knowledge. The BD Act is currently decentralized approach with the National Biodiversity Authority (NBA). State Biodiversity Boards (SBBs) and Biodiversity Management Committees (BMCs) functioning at National, State and Local levels.
- 1.3 Under the BD Act there are provisions for conservation under in-situ and ex-situ conditions. As per the Act, ex-situ conservation means the conservation of components of biological diversity outside their natural habitats and in-situ conservation means the conservation of ecosystems and natural habitats and the maintenance and recovery of viable population of species in their natural surroundings and in the case of domesticated or cultivated species, in the surroundings where they have developed their distinctive properties.
- 1.4 Section 37 of Biological Diversity Act, 2002 (BDA) has following provisions in this regard:



- i. The State Government may, from time to time in consultation with the local bodies, notify in the Official Gazette, areas of biodiversity importance as Biodiversity Heritage Sites (BHS).
 - ii. The State Government in consultation with the Central Government may frame rules for the management and conservation of BHS.
 - iii. The State Government shall frame schemes for compensating or rehabilitating any person or section of people economically affected by such notification.
- 1.5 The Rajasthan Biological Diversity Rules, 2010 have following provisions for notification and management of Biodiversity Heritage Sites:

Rule 22 (1) : The Board shall, in consultation with the local bodies and other key stakeholders, take necessary steps to notify areas of significant biodiversity values as 'Heritage Sites'. On recommendation of the Board after consultation with the Central Government, the State Government may issue notification to this effect.

Rule 22 (2) : The Board shall frame guidelines on the selection, management and conservation and other aspects of Heritage Sites, ensuring that these provide decision making role for relevant Biodiversity Management Committee.

Considering the above provisions of the Act and Rules, the Rajasthan State Biodiversity Board hereby issues the following guidelines for identification, notification and management of the BHS.

2. Significance and objectives of Biodiversity Heritage Sites

- 2.1 Biodiversity Heritage Sites are rich Biodiversity areas and are important components of local ecosystems which are being conserved and managed by the society.
- 2.2 Loss of Biodiversity and Bio-resources are in the increasing trend and are also threatened by the human activities. Special attention is required to strengthen the biodiversity conservation in traditionally managed areas and to stop the rapid loss of biodiversity in such intensively managed rich biodiversity areas. There is a need for identification of these areas of significance.
- 2.3 Such areas also often represent a positive interface between nature, culture, society and technologies, such that both conservation and livelihood security are or can be achieved, and positive links between wild and domesticated biodiversity are enhanced.



- 2.4 To have a BHS in and around a community should be a matter of pride and honour to that community and this virtuous act of community may work as an example to the entire State and the Nation, apart from ensuring availability of the resources for their own future generations. The areas/sites that are like existing sacred grooves and 'Orans' can, straight away be declared and notified as BHS.
- 2.5 It is necessary to instill and nurture conservation ethics in all the sections of the society. The creation of BHS will ensure bringing home these values in the society and thereby put an end to over-exploitation of natural resources and will avoid environmental degradation.
- 2.6 The creation of BHS may not put any restriction on the prevailing practices and usage by the local communities, other than those voluntarily decided by them. The purpose is to enhance the quality of life of the local communities through this conservation measure.

3. Definition

The "Biodiversity Heritage Sites" (BHS) are well defined areas that are unique and ecologically fragile ecosystems. These may spread over terrestrial and inland waters having rich biodiversity endowed with any one or more of the following components: richness of wild as well as domesticated species or intra-specific categories, high endemism, presence of rare and threatened species, keystone species, species of evolutionary significance, wild relatives/ancestors of domestic/cultivated species or their varieties. These areas may also be represented by past pre-eminence of components exhibited by fossil beds and having significant cultural, ethical or aesthetic values and are important for the maintenance of cultural diversity, with or without a long history of human association with them.

4. The criteria for identification and notification of BHS

The BHS may be identified and notified as per the provisions under Section 37 of the Biological Diversity Act, 2002 and Rule 22 of the Rajasthan Biological Diversity Rules, 2010. Accordingly areas having any of the following characteristics may qualify for identification and notification as BHS:

- 4.1 Areas that contain a mosaic of natural, Semi-natural, and man made habitats, which together contain a significant diversity of life forms.
- 4.2 Areas that contain significant components of domesticated biodiversity and/or representative agro-ecosystems with ongoing agricultural practices that sustain this diversity.



- 4.3 Areas that are significant from a biodiversity point of view as also are important cultural spaces such as sacred groves/trees and sites or other large community conserved areas.
- 4.4 Areas, including very small ones that offer refuge or corridors for threatened and endemic fauna and flora, such as community conserved areas or urban greens and wetlands.
- 4.5 All kinds of legal land uses whether government, community or private land can be considered under the above categories.
- 4.6 Those areas which are covered under Protected Area network under the Wildlife Protection Act, 1972 (as amended) shall not be considered.
- 4.7 Areas that provide habitats, aquatic or terrestrial, for seasonal migrant species for feeding and breeding.
- 4.8 Areas that are maintained as preservation plots by the research wing of Forest Department.
- 4.9 Medicinal Plant Conservation Areas (MPCA) that are established in collaboration with Foundation for Revitalization of Local Health Traditions (FRLHT), Bengaluru.

5. Identification and Notification of Biodiversity Heritage Sites

Rajasthan State Biodiversity Board (RSBB) shall invite suggestion (or consider those already coming from communities) for declaration as BHSs, through BMCs and other relevant community institutions including Gram Sabhas, Panchayats, Urban Councils, Forest Protection Committees and Tribal Councils. RSBB shall undertake widespread dissemination of information related to the proposed BHS among rural communities, NGOs, farmers/ fishermen/ adivasi associations, urban groups, research institutions, government agencies and other organizations, regarding the provision of BHSs, through locally appropriate means. These could include local language newspapers, radio, holding meetings with the communities, letters to line departments, Gram Panchayats, local bodies and others.

The process may further be achieved through the following:

- 5.1 Non Governmental Organisations (NGOs) and community institutions (including Panchayat Raj Institutions, Biodiversity Management Committees or institutions set up for environment and development purposes by communities at their own or under other environmental schemes) to carry out their own process, may also initiate proposals for declaring BHSs.



- 5.2 Consolidation of the suggestions, by the RSBB, to come up with a list of areas which can be designated as the Biodiversity Heritage Sites, even while such consolidation is ongoing, suggestions and applications for individual BHSs to be considered as and when they are made.
- 5.3 Public discussions amongst the local bodies, Gram Sabhas, Urban ward committees/ councils and other relevant local institutions, regarding concrete proposals for declaring BHSs in their area, including the implications such as possible restrictions on resource use; a full attempt to be made to bring on board various sections of society with gender and social representation, in such discussions.
- 5.4 Once approved by the relevant Gram Sabha or Urban local body, RSBB will move for issuing a preliminary notification, specifying the boundaries of the BHS, which may require some prior surveying and mapping and also specifying restrictions, if any that may be required for management of the BHS. This will be published in the local media, inviting suggestions and objections from the interested parties/ stakeholders, particularly in case of lands owned by communities and individuals.
- 5.5 Based on the suggestions and objections raised, a team may be constituted by the BMCs/other relevant local institutions/RSBB in consultation with the local bodies for conducting studies to gain a clear understanding of the BHS. The team would include following members (not exceeding 12 individuals) with one member preferably from the local community(ies) selected to head the team:
 - i. Knowledgeable or experienced women & men, representing all socio-economic groups of the concerned communities, nominated by the relevant rural/urban local bodies.
 - ii. One or more NGOs/ institutions focusing on ecology/ conservation (including conservation biologists familiar with the flora and fauna of the particular BHS).
 - iii. One or more NGOs/institutes working on social (gender, livelihood, etc.) issues.
 - iv. One or more NGOs/institutes focusing on agriculture.
 - v. Research wing of the agriculture, forest and other relevant departments (where appropriate and possible).
 - vi. Representatives of Botany and Zoology departments of nearest school/college/ University.



- 5.6 The above team will conduct a study (over a period of 3 to 6 months) in consultation with the concerned community, irrespective of occupation, gender or social strata. Such consultations should inevitably include groups such as forest dwellers, farmers and pastoral community (ies) and/or other relevant occupations. The study on the following aspects needs to be carried out with the use of community-based PBRs/PRA, participatory mapping and other possible tools that are considered appropriate by the concerned communities. All State departments will ensure that they co-operate in this exercise by providing relevant information, maps and other documents that would enhance the productivity of the exercise. The study may include:-
- i. History of land/water bodies, ownership/rights, including Common Property Resources (CPRs), administrative control and land and resource use.
 - ii. Current status of land ownership, tenure status of and access/rights to CPRs, disputed claims over land/forests, if any, land and resource use pattern (including biodiversity-based livelihoods), legal and administrative control, rights and responsibilities.
 - iii. Community composition, character, socio-economic and gender differentiated dependence on the resources, socio-economic and demographic profile.
 - iv. Existing institutions, their characteristics, rules and regulations governing natural resources and access to decision making by marginalized sections including women.
 - v. Ecological profile of the area, critical wildlife and agricultural biodiversity values and threats and pressures to the biological diversity, if any.
 - vi. Use of the area as the corridor or refuge for the wild animals or any other use for the wildlife.
 - vii. Cultural (including agricultural) practices followed by the communities affecting the biodiversity (whether positively or negatively).
 - viii. Scope of livelihood generation (including from resource use, community-based ecotourism, etc.) in the area.
 - ix. Impacts of restrictions, if any, on people and on the biodiversity.
- 5.7 Report of the study may be submitted by the team to the BMC or other relevant local institutions linked to the local bodies in case BMC does not exist, which before submitting it to the RSBB may disseminate the findings of the team (in local languages), along with the proposal for declaring the BHS, to the concerned communities and to all stakeholders.



- 5.8 RSBB shall review the document submitted by BHS survey group or BMCs or other relevant local institutions linked to the local bodies in case BMC does not exist within a period of 3 months, including feedback if any to the relevant community.
- 5.9 Final decision on the proposal may be made by the RSBB in a joint sitting of all stakeholders, at the proposed site.
- 5.10 Draft notification and announcement for declaring the BHS may be made at the State level in an appropriate manner giving it wide media coverage particularly in the local language.
- 5.11 After 30 days of the draft notification of the BHS, the BMC or other relevant local institutions linked to the local bodies in case BMC does not exist along with the Local bodies may conduct a Public Hearing where all details about the BHS should be placed and the comments received from the public recorded and attempts made to remove aspersions, if any, that they may have about the consequences of declaring the area as BHS. The local community should be taken in to confidence assuring that by declaring the BHS their traditional rights and privileges will not be affected.
- 5.12 On declaration of the BHS, the RSBB may write to all the concerned Government departments announcing the establishment/notification of the BHS.
- 5.13 While the above process is desirable in all situations, it should be noted that in many situations, Communities may not be in a position to follow them in view of the urgency for declaration as a BHS to ward off a threat or for other reasons. In some cases proposals may be coming from a community that already has a proven track record of conservation and urgently requires the BHS status to consolidate its position. In such situations, the requirement for these detailed studies may be waived for the purpose of the notification but should be applied subsequent to the notification and no relocations and restrictions to access will be declared till then, other than what the community is already imposing upon itself.

6. Management of BHS

- 6.1 After the BHS is notified, the Biodiversity Management Committee or other appropriate institution as determined by relevant local body in the absence of BMCs, which in addition to its duties defined in the act, may also take care of the management of each BHS. Wherever the BHS extends to more than one local body, the management of the BHS shall be the responsibility of the Biodiversity Heritage Site Management Committee



constituted by the BMC or other relevant local institutions linked to the local bodies in case BMC does not exist and approved by the RSBB.

- 6.2 The committee responsible for the management of the BHS may include representatives of all sections of local communities and in particular those most dependent on the natural resources as also those who have been traditionally conserving the area.
- 6.3 It will be the responsibility of the BMC/BHS Management Committee to prepare and implement a management plan for the BHS which should cover a period of five to ten years.
- 6.4 RSBB will then recognize and facilitate the implementation of the final management plan. Such facilitation may include directions to all relevant Government Departments to assist the communities in implementation, including through appropriate changes in their plans and schemes to eliminate biodiversity damaging practices and to fully enable and empower the communities in conserving biodiversity. Where necessary, orientation programmes may be organized for such departments and NGOs.
- 6.5 RSBB and concerned Government Departments will also facilitate the regeneration or revival of degraded or lost ecosystems and Taxa, including facilitating the repatriation of threatened/locally extinct wildlife where feasible and the reintroduction of lost/declining domesticated biodiversity from ex-situ collections.
- 6.6 Wherever, there are existing conservation related management practices serving the purpose of the BHS, may be documented and considered in the BHS Management Plan.
- 6.7 Any project/activity to be implemented by the Government or any other agency, which is likely to have adverse impact on the BHS may be avoided.
- 6.8 Generally, no restriction is likely to be imposed on the community on the existing utilization of resources from the proposed BHS.
- 6.9 Restriction in the form of regulating the use of the Bio-resources may be warranted in some cases and such restriction may be totally voluntary on the part of the community.
- 6.10 The management structure and utilization of Bio-resources for BHS notified on Government forest areas and other Government owned areas will be determined by the concerned departments of the State Government.

7. Components of the management plan of BHS

- 7.1 A map of the BHS with clear administrative boundaries as notified.



- 7.2 The Status of ownership.
- 7.3 The Current land-use pattern, conservation related practices and beliefs and the dependence of local communities on Bio-resources.
- 7.4 Major Biodiversity in the area and its status as endemic, threatened, endangered or vulnerable.
- 7.5 Whether waterfowls refuge during winter and are breeding place for water birds or corridor for other wild animals.
- 7.6 The type and quantum of Bio-resources being used by the local community and their role/importance in the domestic economy as also the average income from these resources, in situations where these are marketed.
- 7.7 Any shift in the pattern of utilization of Bio-resources during the past 10 years, if so the reasons for the same.
- 7.8 Authentic data on the flora, fauna and natural resources in the area.
- 7.9 Details of projects, if any, in the area under any Government/ international schemes.
- 7.10 The suggestions, if any, from the local communities for improved conservation of biodiversity and for the betterment of the livelihood by using natural resources.
- 7.11 Present and potential threats, if any, to the BHS.
- 7.12 Management prescription separately for conservation and sustainable use of bio-resources, to enhance the livelihood of the local community.
- 7.13 A rough projection of the expected outcome of setting up the BHS, including ecological and social/economic (including, where relevant, estimate of the income expected) benefits on completion of the project.
- 7.14 Estimated time frame for completion of each component of the plan and rough indicators to judge success of each component.
- 7.15 The above process of management planning must not be one that constrains the wide variety of ways in which communities conserve and manage natural resources. It should also not be considered absolutely necessary to formulate a management plan, if the community has other adequate means of sustaining the effort and if thereby, conservation and sustainable management is taking place. In many situations, communities may not be in a position to immediately or quickly formulate such a plan, which should not be a reason for not accepting their site as a BHS.
- 7.16 The RSBB, on receipt of the Management Plan may constitute an expert committee to evaluate the same, if necessary, visit the BHS



and hold consultations with the local communities and the local bodies and obtain their approval of the Management plan. The management Plan may also be integrated into the district level planning process, to enable optimum facilitation and funding by relevant Government agencies.

- 7.17 On receipt of approved plan, the RSBB may accept the same.
- 7.18 Management plan may be periodically reviewed and modified appropriately by the expert committee constituted by the RSBB, based on the recommendations of the BMC or other relevant local institutions linked to the local bodies in case BMC does not exist and accepted by the RSBB. Such modifications shall be brought to the notice of all stakeholders before implementing the same.

8. Monitoring of BHS

- 8.1 There may be a State Level Monitoring Committee constituted by the RSBB.
- 8.2 The State Level Monitoring Committee may comprise twelve members chosen out of knowledgeable individuals in the field of conservation of wild and domesticated biodiversity and related socio-economic aspects, from the following categories:
- i. Chairman of the RSBB.
 - ii. Member Secretary of the RSBB.
 - iii. One representative of local communities.
 - iv. An expert having knowledge and experience in the field of forestry/wildlife/agro-biodiversity/aquaculture management, in the area relevant to the particular BHS.
 - v. A member of the BMC/BHS management committee concerned or other relevant local institutions linked to the local bodies, in case BMC does not exist.
 - vi. A nominee of the Local Body/Panchayat concerned.
 - VII. A representative from Revenue Department.
- 8.3 The State Level Monitoring Committee shall periodically monitor the implementation of Management Plan and submit a report to the RSBB, clearly indicating the extent (in qualitative and where possible in quantitative terms) of achievements under each component of the Management Plan and recommendations for improvement.
- 8.4 The tenure of the Monitoring Committee may be three years.



9. Role of NBA and RSBB in the Management of Biodiversity Heritage Site

- 9.1 The RSBB will ensure adequate and sensitive public visibility of the BHSs through popular media, workshops, brochures etc. to ensure consideration of their importance and status. The NBA may allocate fund as required to RSBB only for undertaking aforesaid activities.
- 9.2 The NBA may organize one National level review meeting of all BHS involving NGOs, BMCs/other institutions managing, SBBs, officials of line departments, academic institutions, experts etc., annually and may submit the proceedings of the minutes to the Ministry of Environment and Forests, Government of India.
- 9.3 The State Government may notify the guidelines after consulting the Government of India through NBA.

10. Budget

- 10.1 Once the BHS is notified by the State Government, the NBA may support the initial establishment of BHS by allocating adequate funding support as seed money through RSBB. Simultaneously, the financial requirement of BHS may be included in the annual budget of the local body (ies). The State Government may also allocate adequate seed money to each BHS on its notification through RSBB. The BMC or other institution which is managing BHS would be recognized as an authorized body to avail the financial assistance under all government schemes and other funding sources as legally permissible. The existing/new interest accruing saving account of BMC or other institution, maintained in a nationalized bank or post office is authorized to receive all such amounts. The accounts maintained by the aforesaid institutions, managing BHS shall be audited annually as per the rules and as done in case of Local bodies.
- 10.2 The RSBB shall keep the NBA informed of notification of creation/declaration of BHS in the State. The NBA through its expert committee may get the performance audit of the management of BHS done by BMCs/other institutions/RSBB.

11. Miscellaneous

These are only model guidelines. Suitable modifications can be done but within the spirit and frame work of Biodiversity Act, 2002 and Rajasthan Biological Rules, 2010.



**FORMAT FOR
PROPOSAL FOR DECLARATION OF BIOLOGICAL HERITAGE SITE
UNDER BIOLOGICAL DIVERSITY ACT, 2002 AND
RAJASTHAN BIOLOGICAL DIVERSITY RULES, 2010**

(For location outside the National Park, Wildlife Sanctuary,
Community Reserves and Reserved/Notified Forests)

1. Identification of Property
a State
b Location
c Exact location (Please enclose map)
d Maps/plans showing boundary of area proposed.
e Area of site proposed for declaration (Hectare)
2. Justification for Declaration
a What is the significance of the proposed site?
b Why the declaration is proposed (give justification)
c Threat if any (give details)
3. Description
a Present status of conservation
4. Present
a Ownership
b Legal Status
c Agency to Manage the site after declaration.
d Name, Designation and address of responsible person for contact.
e Sources of expertise.
5. Factors Affecting the Site
a Pressures on the site (Encroachment, Agriculture etc.)
b Environmental Pressures
c Visitor/tourism pressures
6. Documentation
a Photographs (Enclose Hard & Soft Copy)
b Existing site management plans if any.
7. Opinion of other concerned stakeholders.
8. Details of disputes if any on the site (give details)
9. General remarks if any

Date :

Signature & Seal

Place :

Name :

Address.....
Phone Number.....
E-mail Address.....



Ram-kunda, Udaipur



Keora-ki-nal, Udaipur



Degrai Oran, Jaisalmer



Akal wood fossil Park, Jaisalmer