

Full Title of the Project: Diversion of 0.95 ha of Forest land for establishment of Sun Rock recreational complex at village Ankhir in district Faridabad. under Forest Division and District Faridabad Haryana.

File No. : FP/HR/OTHER/45071/2020

Date of Proposal: _____

PART – II

(To be filled by the concerned Deputy Conservator of Forests)

7.	Location of the project / Scheme :	<u>Diversion of 0.95 ha of Forest land for establishment of Sun Rock recreational complex at village Ankhir in district Faridabad. under Forest Division and District Faridabad Haryana</u>
(i)	State / Union Territory	Haryana State
(ii)	District	Faridabad
(iii)	Forest Division	Faridabad Forest Division
(iv)	Area of forest land proposed for diversion (in ha.)	0.95Hec.
(v)	Legal status of forest	Area notified under section 4 of PLPA
(vi)	Density of vegetation	0
(vii)	Species-wise (scientific names) and diameter class-wise enumeration of trees (to be enclosed. In case of irrigation / hydel projects enumeration at FRL, FRL-2 meter & FRL-4 meter also to be enclosed.)	NA
(viii)	Brief note on vulnerability of the area to erosion	No erosion at all
(ix)	Approximate distance of proposed site for diversion from boundary of forest.	The Proposed site for diversion involves the entire width of Forest area
(x)	Whether forms part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. (If so, the details of the area and comments of the Chief Wildlife Warden to be annexed).	No
(xi)	Whether any rare/ endangered / unique species of flora and fauna found in the area – if so details thereof.	No
(xii)	Whether any protected archaeological / heritage site / defense establishment or any other important monument is located in the area. If so, the details thereof with NOC from competent authority, if required.	No
8.	Whether the requirement of forest land as proposed by the user agency in col. 2 of Part-I is unavoidable and barest minimum for the project. If no, recommended area item-wise with details of alternatives examined.	<u>Diversion of 0.95 ha of Forest land for establishment of Sun Rock recreational complex at village Ankhir in district Faridabad. under Forest Division and District Faridabad Haryana.</u> The forest land required for Diversion is barest Minimum and unavoidable.

9.	Whether any work in violation of the Act has been carried out (Yes/No). If Yes, details of the same including period of work have done, action taken on erring officials. Whether work in violation is still in progress.	Yes the user agency has violated the forest laws and FOR no. 23/0476 dt. 9/04/2020, 057/0452 dt. 22/12/2017 and 060/0452 dt. 28/12/2017 was issued against the user agency for violating the forest laws
10.	Details of compensatory Afforestation Scheme	
(i)	Details of non forest area / degraded forest area identified for compensatory Afforestation, its distance from adjoining forest, number of patches, size of each path.	Attached (Check List No.17)
(ii)	Map showing non-forest / degraded forest area identified for compensatory Afforestation and adjoining forest boundaries.	Attached (Check List No.17)
(iii)	Detailed compensatory Afforestation scheme including species to be planted, implementing agency, time schedule, cost structure, etc.	Attached (Check List No. 18)
(iv)	Total financial outlay for compensatory Afforestation scheme	Attached (Check List No. 18)
(v)	Certificates from competent authority regarding suitability of area identified for compensatory Afforestation and from management point of view. (To be signed by the concerned Deputy Conservator of Forests).	Attached (Check List No. 20)
11.	Site inspection report of the DCF (to be enclosed) especially highlighting facts asked in col. 7 (xi, xii), 8 and 9 above.	Attached (Check List No. 16)
12.	Division / District profile :	
(i)	Geographical area of the district	2105 Sq. Kms.
(ii)	Forest area of the district	7022.48 Hectares
(iii)	Total forest area diverted since 1980 with number of cases	328 Hec.
(iv)	Total compensatory Afforestation stipulated in the district/division since 1980 on. a) Forest land including penal compensatory Afforestation b) Non-Forest land	135.40 Hectares 44.50 Hectares
v)	Progress of compensatory Afforestation as on (date) a) forest land b) Non-forest land
13.	Specific recommendations of the DCF for acceptance or otherwise of the proposal with reasons.	(i) No threat to any endangered/unique species of flora and fauna found in the area. (ii) No threat to any protected archaeological/ heritage site/defense establishment or any other important monument located in the area. (iii) Not Recommended under prevailing rules.. (iv) The proposed area is part of area notified under section 4&5 of PLPA which as per order of Hon'ble Supreme Court in matter tilted MC Mheta vs Union of India and others is to be treated

as forest for the purpose of FC Act.

a) The proposal involves the diversion of forest land i.e. area closed under section 4 and 5 of PLPA, 1900 in Faridabad district wherein as per the advice of CEC the proposals of non public utility has been kept pending till the final decision of Hon'ble Supreme Court in this matter. User agency is not a public utility.

b) M.C. Mehta Vs Union of India and others in Judgment dated 7 May, 2004 noted "on the early part of this century the Aravallis were well wooded. There were dense forests with water fall and could encounter a larger number of wild animals. Today, the changes in environment at Aravalli are severe. The notification dated 7th May, 1992 was passed with a view of strictly implement the measures to protect ecology of the Aravalli Range".

c) The Hon'ble NGT order dated 26-8-2020 in Sonia Ghosh operative part is produced as under, "Learned Additional Advocate General for the State of Haryana submits that forest area since been identified, steps are being taken for restoration by removing encroachments which will require some further time. Accordingly we grant further time with a direction that prompt action be taken for enforcement of law and further status report as an 31-1-2020 may be filed before next date. This patch of land has been submitted in Hon'ble NGT as violation/encroachment in. aforementioned case.

d) The user agency has constructed boundary wall around his proposed land. Now the user agency wants to develop recreational complex at the proposed site. Hon'ble CEC in its second report dated. 15.02.2009 pertaining of to Aravali hills in Haryana as specifically mentioned that no non forest activity of non public interest be permitted in area notified under Section 4&5 PLPA .

Case is Not recommended with enclosing full facts as decision in this regard has to be and must be taken at higher level.

By. Conservator of Forests
Faridabad

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