

JHARKHAND URBAN INFRASTRUCTURE DEVELOPMENT COMPANY LIMITED



(A Government of Jharkhand Undertaking)
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CIN: U45200JH2013SGC001752



Ref No: -JUIDCO/NH(RCD)/Hazaribagh UWSS/2124/2019- 5096

दिनांक :-22.03.2023

सेवा में,

वन प्रमंडल पदाधिकारी,
पूर्वी वन प्रमंडल, हजारीबाग।

विषय:-कोनार डैम से हजारीबाग शहर तक पाइप लाइन जलापूर्ति योजना हेतु विभिन्न अवयवों के निर्माण हेतु वन भूमि अपयोजन के संबंध में।

प्रसंग :- (1) आपका पत्रांक: 1941 दिनांक:-23.07.2022

(2) JUIDCO Ltd/UWSS/Hazaribagh/Works(C)/2001/2019-4785 दिनांक:-27.02.2023

(3) चिन्हित भूमि के सन्दर्भ में उपायुक्त द्वारा हस्तान्तरण का पत्रांक सं०-783 दिनांक :- 25.02.2023

महाशय,

विषयांकित जलापूर्ति पाइप लाइन विछाने हेतु विभिन्न अवयवों के निर्माण के लिए कुल 3.561 हे० वन भूमि हस्तान्तरण हेतु प्रस्ताव (प्रस्ताव सं० FP/JH/WATER/35936/2018) समर्पित है। इस क्रम में आदेशानुसार क्षतिपूरक वनरोपण हेतु कुल रकबा 17 ऐ० भूमि का किस्म- गैरमजरुआ खास, जंगल, ग्राम- डुमरडीहा, थाना नम्बर-२३८, परगना -रामपुर, थाना -बगोदर, अंचल - बिष्णुगढ़ As per Forest Conservation Rule 2022 the Gazette of India: Extraordinary (Part II-Sec-3(i)) SCHEDULE I (See rule 11(1) and rule 11 (3) SL No. 3 & 8 (पत्र के साथ संलग्न) चिन्हित किया जा चुका है जिसके सम्बन्ध में निम्नलिखित दस्तावेजों की मांग की गई है निम्न टेबल में अंकित किया गया है:-

01	क्षतिपूरक वनरोपण हेतु चिन्हित गैर वन भूमि की विवरणी.	संलग्न है।
02	क्षतिपूरक वनरोपण के संबंध में उपयुक्तता प्रमाण-पत्र.	सम्बंधित नहीं।
03	क्षतिपूरक वनरोपण हेतु चिन्हित गैर वन भूमि का नक्शा (KML File सहित)	संलग्न है।
04	क्षतिपूरक वनरोपण की योजना.	सम्बंधित नहीं।

क्षतिपूरक वनरोपण हेतु चिन्हित गैर वन भूमि की विवरणी:-

भूमि का किस्म	जिला	अंचल	ग्राम	थाना	थाना नम्बर	प्लॉट न०	रकबा	अभ्युक्ति
गैरमजरुआ खास, जंगल	हजारीबाग	बिष्णुगढ़	डुमरडीहा	बगोदर	२३८	२	17 ऐ०	

उपरोक्त बिंदुओं का अनुपालन करते हुए अनुपालन प्रतिवेदन (09 प्रतियों में) समर्पित किया जा रहा है। अंतः अनुरोध है कि हस्तान्तरण की कार्यवाही अविलम्ब करने की कृपा की जाए।

अनुलग्नक- (01) क्षतिपूरक वनरोपण हेतु चिन्हित गैर वन भूमि की विवरणी-09 प्रति.

(02) क्षतिपूरक वनरोपण हेतु चिन्हित गैर वन भूमि का नक्शा & (KML File CD)-09 प्रति.

विश्वसभाजन,
22/03/23
परियोजना निदेशक, प्रशासन
जुडको लि०. रांची।

geographical area. Similarly, the Accredited Compensatory Afforestation or Land bank may be taken up in another State or Union territory:

Provided that, the money towards Compensatory Afforestation in such cases shall be transferred to the State Compensatory Afforestation Fund of the State or Union territory in which the Compensatory Afforestation land has been identified and the remaining money of the Compensatory Levies shall be deposited in the Compensatory Afforestation Fund Management and Planning Authority Fund of the State Government or Union territory Administration in which the forest land has been proposed to be diverted.

(2) (a) A State Government or Union territory Administration as the case may be, may for the purpose of Compensatory Afforestation create a Land bank under the administrative control of the Department of Forest;

(b) The minimum size of the Land bank shall be a single block of twenty five hectares:

Provided that in case a Land bank is in continuity of a land declared or notified as forest under the Indian Forest Act, 1927 (16 of 1927) or under any other law for time being in force, Protected Area, Tiger Reserve or within a designated or identified tiger or wildlife corridor, there shall be no restriction on size of the land;

(c) The lands covered under Accredited Compensatory Afforestation earned under sub-rule (3) may be included in the Land bank.

(3) (a) The Central Government may formulate an Accredited Compensatory Afforestation mechanism to be used for obtaining prior approval under section 2;

(b) Accredited Compensatory Afforestation may be earned by a person if he has established afforestation over land on which the Act is not applicable and is free from all encumbrances;

(c) an afforestation shall be counted towards Accredited Compensatory Afforestation if such land has vegetation composed predominantly of trees having canopy density of 0.4 or more and the trees are at least five years old;

(d) Accredited Compensatory Afforestation shall be earned by developing afforestation of one-hectare area with 0.4 or more canopy density, but there shall be no Accredited Compensatory Afforestation for developing an area below 0.4 canopy density or below one-hectare land;

(e) Accredited Compensatory Afforestation may be swapped for Compensatory Afforestation proposed under sub-rule (1):

Provided the Accredited Compensatory Afforestation cover a block of minimum of ten hectares and has been fenced as per norms specified for Compensatory Afforestation in that area:

Provided further that Accredited Compensatory Afforestation over land of any size situated in the continuity of land declared or notified as forest under any law, Protected Area, Tiger Reserve or within a designated or identified tiger or wildlife corridor, may be swapped for Compensatory Afforestation.

(f) Accredited Compensatory Afforestation earned out of vacation of non-forest lands on account of voluntary relocation of a village from a National Park, Wildlife Sanctuary or Tiger Reserve and designated or identified tiger or wildlife corridors shall qualify for Compensatory Afforestation as per Schedule—I annexed to these rules, and this provision may also be used by a user agency in lieu of Compensatory Afforestation under sub-rule (1);

(g) Accredited Compensatory Afforestation identified under this rule shall be demarcated with concrete pillars of suitable size and handed over, free from all encumbrances to Forest Department of the State Government or Union territory Administration and the same shall be notified as Protected Forest under section 29 of Indian Forest Act, 1927 or under the provision of any other law for the time being in force before the Final approval is granted under the Act;

(h) The Central Government may issue detailed guidelines on creation of Accredited Compensatory Afforestation, its stock registry and management for the purpose of its swap for Compensatory Afforestation land and cost of maintenance thereof up to a period specified by the Central Government.

12. General Instructions.-

(1) Felling of trees on forest lands approved for use for the non-forest purpose under these rules shall be restricted to a bare minimum and to an unavoidable number and shall be done under the supervision of the local Forest Department and the forest produce obtained therefrom shall be handed over to the local Forest Department for disposal in the manner specified by the State Government or Union territory Administration which shall give preference to distribution to local villagers for meeting their domestic bonafide requirement.

- (2) Forest land diverted for non-forest purpose under these rules shall be appropriately surveyed jointly by the user agency and the Forest Department or the land-owning Department, demarcated on the ground by way of appropriate permanent boundary marks at the cost of the user agency and handed over by the Forest Department or land-owning Department to the user agency prior to starting of any non-forest use.
- (3) For the purpose of forest cover under these rules, the figures and description used in the latest India State of Forest Report published by Forest Survey of India shall be referred.
- (4) The Central Government may cancel approval accorded in respect of a proposal, with or without the request of the State Government Union territory Administration and may decide to refund the Compensatory Levies deposited, on case to case basis.
- (5) The conditions imposed by Central Government for diversion of forest land for the non-forest purpose shall not be changed or modified after a period of two years from the date of grant of final approval unless some exceptional circumstances arise or the Central Government considers it necessary to impose any additional clause of compliance.

SCHEDULE I

[See rule 11 (1) and rule 11 (3)]

Provisions for the requirement of land related to Compensatory Afforestation

Sl. No.	Description of Compensatory Afforestation Land	Size of Compensatory Afforestation land as compared to forest land to be diverted for non-forest purpose
(1)	(2)	(3)
1.	Land to which provisions of the Act are not applicable.	Equivalent.
2.	Land recorded as 'forest' in Government record but does not fulfill all of the following conditions:- (a) notified as forest under any other law for the time being in force (b) managed as forest by Forest Department. (<i>This dispensation is allowed to proposals of Central Government and State Government or Union territory Administration only.</i>)	Two times.
3.	Degraded notified or unclassified forest land. (<i>This dispensation is in case of State Public Sector Undertakings for captive coal blocks on case to case basis and Central Government Agencies/Central Public Sector Undertakings on case to case basis</i>)	Two times
4.	Land, qualifying for Compensatory Afforestation under Sl. No. (1), provided is of size of twenty-five hectares or more in one block. Compensatory Afforestation land of less than ten hectares shall not be accepted unless the requirement of Compensatory Afforestation land is less than ten hectares in which case the user agency has to bear the additional cost of protection of Compensatory Afforestation so raised for a period of twenty years from the date of planting.	Five per cent. less for every additional block size of ten hectares or part thereof subject to a maximum of twenty-five per cent rebate.
5.	Land, qualifying for Compensatory Afforestation under Sl. No. (1), that is less than 25 hectares size but more than 10 hectares size in one block. If the requirement of Compensatory Afforestation land is less than twenty-five hectares but more than ten hectares in size, the provision of excess land for Compensatory	Five per cent. more for every five hectares smaller block size or part thereof.

	Afforestation shall not be applicable but the user agency has to bear the additional cost of protection of Compensatory Afforestation so raised for a period of twenty years from the date of planting.	
6.	Land qualifying for Compensatory Afforestation under Sl. No. (1) above and is located within the notified boundary of a protected area	Twenty-five <i>per cent.</i> less
7.	Land qualifying for Compensatory Afforestation under Serial No. (1) or (2) and is located in continuity of a notified boundary of a National Park or a Wildlife Sanctuary or area linking one protected area or tiger reserve with another protected area and designated or identified tiger or wildlife corridors.	Fifteen <i>per cent.</i> less.
8.	Land qualifying for Compensatory Afforestation under Sl. No. (1) or (2) and is located adjacent to a forest land notified as forest under Indian Forest Act, 1927 (16 of 1927) or any other law. Accredited Compensatory Afforestation land of any size may be accepted in case it is contiguous to a forest land notified under any law.	Ten <i>per cent.</i> less
9.	Compensatory Afforestation land made available from complete and voluntary relocation of a village/ habitation (situated in non-forest land) from a Wildlife Sanctuary, National Park or Tiger Reserve, to a non-forest land outside such Sanctuary, Park or Reserve or area linking protected area or tiger reserve with another protected area and designated or identified tiger or wildlife corridors, as the case may be.	<p>(a) Exemption from payment of Net Present Value of forest land equivalent to the Compensatory Afforestation land by way of vacation of village or habitation from National Park/Wildlife Sanctuary/ Tiger Reserve.</p> <p>Note: "Net Present Value" shall have the same meaning as assigned in clause (j) of section 2 of the Compensatory Afforestation Fund Act, 2016 (38 of 2016).</p> <p>(b) Accredited Compensatory Afforestation in the ratio of 1:1.25 (Non-forest land: Accredited Compensatory Afforestation earned) so vacated by a village by way of voluntary relocation (<i>provided that the same shall be notified as part of the Wildlife Sanctuary, National Park or Tiger Reserve and also notified as Protected Forest or Reserved Forest</i>).</p> <p>(c) Additional Accredited Compensatory Afforestation at the rate of 0.5 ha per relocated family.</p>

Note 1: The user agency or Accredited Compensatory Afforestation developer shall ensure that relocation is voluntary.

Note 2: No compensation under relevant schemes of the Central Government or State Government would be payable to relocatees or user agency or Accredited Compensatory Afforestation developer.

Note 3: The State Government can also use this provision, provided no central assistance on such scheme is availed.

SCHEDULE-II

[See rule 8 (2) and rule 9(4)]

Time Period of examination of proposals for use of forest land for non-forest purpose by the Project Screening Committee

Sl. No	Size of forest land proposed for de-reservation/diversion for non-forest purpose (in hectares)	Nature of non-forest use	Time Period (Maximum Working Days prescribed)
(1)	(2)	(3)	(4)
1.	More than 5 and upto 40	All usage (except mining)	60
2.	More than 5 and upto 40	Mining	75
3.	More than 40 and upto 100	All usage (except mining)	75
4.	More than 40 and upto 100	Mining	90
5.	More than 100	All usage (except mining)	120
6.	More than 100	Mining	150

Note-1: Time period (working days) counted from the date of final submission of proposal as accepted by the Project Screening Committee [see rule 9(4) (e)].

Note-2: Project Screening Committee or the Divisional Forest Officer shall examine a proposal only after an approved special plan, such as Wildlife Management Plan, Catchment Area Treatment Plan Stream/River Protection Plan, etc. , if specified at the time of screening of proposal under clause (h) of sub-rule (4) of rule 9, has been submitted to the concerned authorities.

Note-3: All proposals related to mining and proposals other than mining involving forest area upto 5 ha specified under sub clause (j) of clause (4) of rule 9, shall be processed within maximum working days of 45 and 30, respectively.

[F. No. FC- 11/118/2021-FC]

RAMESH KUMAR PANDEY, Inspector General of Forests

