

प्रस्तावित आरक्षित वन भूमि के बदले क्षतिपूरक वृक्षारोपण हेतु समतुल्य गैर वन भूमि वन विभाग को उपलब्ध कराने की बचनबद्धता सम्बन्धित प्रमाण पत्र।

प्रस्तावित आरक्षित वन भूमि के बदले क्षतिपूरक वृक्षारोपण हेतु समतुल्य गैर वन भूमि वन विभाग को उपलब्ध कराने के सम्बन्ध में भारत सरकार पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय के पत्र संख्या एफ0एन0 7-28/2014-आर0ओ0एच0व्यू0 दिनांक 15.09.2014 के साथ संलग्न वन संरक्षण अधिनियम 1980 यथासंशोधित 1988 के पैरा 3.2(IX) Special Provisions for Central Government/Central Government Undertaking के बिन्दु(ए) के अनुसार गैर वन भूमि की अनुपलब्धता की स्थिति में दुगुने अवनत वन भूमि पर क्षतिपूरक वृक्षारोपण कराये जाने की व्यवस्था है। उक्त की प्रति संलग्न है।

संलग्नक-यथोपरि

  
**महेश चन्द्र (M. Ch.)**

भारतीय राष्ट्रीय राजमार्ग अधिकरण।  
 (सड़क परिवहन एवं राजमार्ग मंत्रालय, भारत सरकार)

प्रति हस्ताक्षर

प्रभागीय वनाधिकारी  
 मीरजापुर - वन प्रभाग  
 मीरजापुर

**F. No. 7-28/2014-RoHQ**  
**Government of India**  
**Ministry of Environment, Forests and Climate Change**  
**(Regional Offices Headquarters Division)**

Indira Paryavaran Bhawan  
 Aliganj, Jorbagh Road  
 New Delhi - 110 003  
 Dated: 15<sup>th</sup> September, 2014

To

Addl. Principal Chief Conservator of Forests (Central)  
 Ministry of Environment, Forests and Climate Change,  
 Regional Office (Central Zone),  
 Lucknow.

Sub: Letter dated 3<sup>rd</sup> September 2014 from the Chairman, National Highways Authority of India regarding grant of forest clearance to Jhalawar-Beora section in the State of Rajasthan.

Sir,

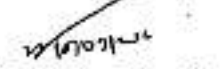
I am directed to enclose a copy of letter dated 3<sup>rd</sup> September 2014 from the Chairman, National Highways Authority of India regarding grant of forest clearance to Jhalawar-Beora section in the State of Rajasthan, and to say that after examination of the matter it has been observed that para 3.2 (ix) of guidelines issued under the Forest (Conservation) Act, 1980 provides that as a special provisions for Central Government/Central Government Undertaking, Projects compensatory afforestation may be raised on degraded forest land twice in extent of forest area being diverted. Certificate of Chief Secretary regarding non-availability of non-forest land for compensatory afforestation will not be insisted.

The said para also provides that the user agency (in such projects) will deposit the amount for compensatory afforestation with the concerned State Govt. on receiving the demand and the actual transfer/use of forest land will be effected only after the receipt of the demanded amount.

Accordingly, I am directed to say that the Regional office (Central Zone) Lucknow may take necessary action to amend the in-principle approval under the Forest (Conservation) Act, 1980 accorded for diversion of the forest land to the said project to waive the condition of handing over of non-forest land to the forest department for undertaking compensatory afforestation.

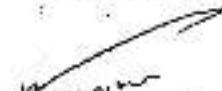
Encl.: As above.


Yours faithfully,

  
 (H. C. Chaudhary)  
 Director

Copy to:

1. Chairman, National Highways Authority of India (NHAI), G-5 & 6, Sector-10, Dwarka, New Delhi 110 075.
2. Guard File.

  
 (H. C. Chaudhary)  
 Director

  
**Manager (Tech.)**  
**P I U, Varanasi**

likely to be filled will have to be carried out by way of compensatory afforestation or any number of trees specified in the order).

- (c) For underground mining in forest land below 3 metres. (However, in respect of forest area required for surface right, compensatory afforestation shall be required as per relevant provisions).
- (d) Cases of renewal of mining lease, for the forest area already broken/used for mining, dumping or over burden, construction of road, ropeways, buildings, etc. For the balance area, compensatory afforestation shall be required to be done as stipulated, provided that no compensatory afforestation had been stipulated and done in respect of this area at the time of grant/renewal of lease earlier.

3 2 (ix) **Special provisions for Central Government/Central Government Undertaking Projects. -**

- (a) Compensatory afforestation may be raised on degraded forest land twice in extent of forest area being diverted. Certificate of Chief Secretary regarding non-availability of non-forest land for compensatory afforestation will not be insisted.
- (b) The user agency will deposit the amount for compensatory afforestation with the concerned State Govt. on receiving the demand and the actual transfer/use of forest land will be effected only after the receipt of the demanded amount.
- (c) The State Governments will identify 'blank forest' or degraded forest lands for compensatory afforestation. The State Governments of Madhya Pradesh and Rajasthan will identify such degraded forest land in their States for compensatory afforestation of Central Projects in their respective States as indicated by the Chief Secretaries of these two States in the meeting of Committee of Secretaries held on 15-11-1996.
- (d) The pool of degraded forest land in Madhya Pradesh and Rajasthan will also be available for the Central Government projects of other States if the concerned State Government fail to identify the requisite land, as mentioned at (a) above, for compensatory afforestation in its own territory within one month of the submission of the proposal to the State Government.
- (e) While identify the pool of degraded forest land, blank forest lands in reserved forests in compact/sizeable blocks should be identified as first priority as "plantation bank". As appropriate treatment plan with choice of species should be prepared by the beneficiary States. Only when such areas are not available, the choice of compensatory afforestation will fall on protected, unprotected forests and unclassified forests in declining order of priority.
- (f) The Nodal Officer (Forest Conservation), State Forest Department will identify the pool of such degraded forest lands in consultation

  
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with concerned Chief Conservator of Forests (C), Regional Offices of the MOEF.

**Clarification:** The provisions of the above guideline would be applicable only Central Sector projects and not on State Sector projects which are being undertaken by Central PSUs on turnkey basis. In such cases, Compensatory Afforestation on equivalent non-forest land/a certificate of Chief Secretary regarding non-availability of equivalent non-forest land anywhere in the State shall be insisted upon.

### 3.3 Elements of Schemes for Compensatory Afforestation. -

- (i) The scheme for compensatory afforestation should contain the following details:-
  - (a) Details of equivalent non-forest or degraded forest land identified for raising compensatory afforestation.
  - (b) Delineation of proposed area on suitable map.
  - (c) Agency responsible for afforestation.
  - (d) Details of work schedule proposed for compensatory afforestation.
  - (e) Cost structure of plantation, provision of funds and the mechanism to ensure that the funds will be utilised for raising afforestation.
  - (f) Details of proposed monitoring mechanism.

### 3.4 Lands identified for Compensatory Afforestation to be Transferred to the Forest Department. -

- (i) Equivalent non-forest land identified for the purpose are to be transferred to the ownership of the State Forest Department and declared as reserved/protected forests, so that the plantation raised can be maintained permanently. The transfer must take place prior to the commencement of the project.
- (ii) The compensatory afforestation should clearly be an additional plantation activity and not a diversion of part of the annual plantation programme.
- (iii) In each case where the afforestation target is over 500 hectares in plains, and 200 hectares in hill, a Monitoring Committee shall be established with a nominee of the Central Government to oversee that the stipulations, including those pertaining to compensatory plantation are carried out.

### 3.5 Special Fund. -

- (i) The State / Union Territory Government should create a special fund to which the individual user agency will make its deposits for Compensatory Afforestation. The Forest Department, or any other technically competent agency which is assigned the job of compensatory afforestation should fully utilise this amount for implementation of the afforestation scheme approved by the Government of India, and keep separate and meticulous account thereof.

  
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