

शुद्ध वर्तमान मूल्य (नेट प्रजेन्ट वैल्यू) हेतु वचनबद्धता प्रमाण पत्र

भारत सरकार द्वारा निर्गत शासन आदेश संख्या F.No.5-3/2007-FC, दिनांक 05.02.2009 एवं F.No.5-3/2011-FC(Vol-1), दिनांक 06.01.2022 द्वारा भूमिगत ऑप्टिकल फाइबर लाइन बिछाने के लिए शुद्ध वर्तमान मूल्य (नेट प्रजेन्ट वैल्यू) से पूर्ण रूप से छूट दी गयी है, जो कि माननीय उच्चतम न्यायालय द्वारा आदेश दिनांक 28.03.2008 एवं 09.05.2008 के अनुसार प्रभावी रहेगी, इसके अतिरिक्त राज्य सरकार या भारत सरकार या माननीय न्यायालयों द्वारा जारी निर्देशों का भी अनुपालन पूर्ण रूपेण किया जायेगा।

सधन्यवाद।


क्षेत्रीय वन अधिकारी
रेंज हैदराबाद

कृते रिलायन्स जियो इन्फोकॉम लिमिटेड
पंकज खरे (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
लखनऊ (उ०प्र०)
अधिकृत हस्ताक्षरकर्ता


क्षेत्रीय वन अधिकारी
रामसनेहीघाट


सुप प्रभागीय वनाधिकारी
राम सनेहीघाट
सुप वन प्रभाग

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प्रभागीय निदेशक
सा०वा०वन प्रभाग
बाराबंकी

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F. No. S-3/2007-FC
Government of India
Ministry of Environment and Forests
(FC Division)

390

23
Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 510
Dated : 05.02.2009

To
The Principal Secretary / Secretary (Forests),
All State / UT Governments.

Sub: Guidelines for diversion of forest land for non-forestry purposes under Forest
(Conservation) Act, 1980 - Guidelines for collection of Net Present Value (NPV).

Sir,
The Ministry of Environment and Forests, Government of India has been receiving representations from different States seeking detailed clarification and guidelines on the above mentioned subject in the light of the Supreme Court Judgment dated 28.03.2008 revising the general rates of NPV and various other orders defining differential rates for various categories of projects.

After careful examination of the issue, I am directed to inform that the Hon'ble Supreme Court of India vide its judgement dated 28.03.2008, has re-fixed the rates of Net Present Value (NPV) on the basis of scientific data taking in view the ecological role and value of the forests. The 16 major forest types have been re-grouped into 6 ecological classes depending upon their ecological functions.

Eco-Class I - Consisting of Tropical Wet Evergreen Forests, Tropical Semi Evergreen Forests and Tropical Moist Deciduous Forests

Eco-Class II - Consisting of Littoral and Swamp Forests

Eco-Class III - Consisting of Tropical Dry Deciduous Forests

Eco-Class IV - Consisting of Tropical Thorn Forests and Tropical Dry Evergreen Forests

परत बायको Class V - Consisting of Sub-tropical Broad Leaved Hill Forests, Sub-Tropical Pine Forests and Sub-Tropical Dry Evergreen Forests

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महाराष्ट्र शासन

Eco-Class VI - Consisting of Montane Wet Temperate Forests, Himalayan Moist Temperate Forests, Himalayan Dry Temperate Forests, Sub-Alpine Forest, Moist Alpine Scrub and Dry Alpine Scrub

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Based on the ecological importance of forest falling in different eco-value and canopy density classes, relative weight age factors have also been taken into consideration. By using these relative weight age factors, the equalized forest area in eco-value Class-I and very dense forest corresponding to forest falling in different eco-value and density classes have been compiled. The net present value per hectare of forest has been fixed based on this data. For calculating the average net present value per hectare of forest in India, the following monetary value of goods and services provided by the forest have been considered:-

पंकज खरे (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
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रिलायन्स जियो इन्फोकॉम लिमिटेड
लखनऊ

- (ii) Value of Non Timber Forest Products (NTFP)
- (iii) Value of fodder
- (iv) Value of Eco-tourism
- (v) Value of bio-prospecting
- (vi) Value of Ecological services of forest
- (vii) Value of Flagship Species
- (viii) Carbon Sequestration Value

Based on the above, the NPV was fixed and the following recommendation was made by the Hon'ble Supreme Court of India:-

- (i) For non-forestry use / diversion of forest land, the NPV may be directed to be deposited in the Compensatory Afforestation Fund as per the rates given below:-

Eco-Value	Class and NPV rates in Rs.					
	Class I	Class II	Class-III	Class IV	Class V	Class VI
Very Dense Forest	10,43,000	10,43,000	8,87,000	6,26,000	9,39,000	9,91,000
Dense Forest	9,39,000	9,39,000	8,03,000	5,63,000	8,45,000	8,97,000
Open Forest	7,30,000	7,30,000	6,26,000	4,38,000	6,57,000	6,99,000

N.B. The NPV rate fixed would hold good for a period of three years and is subject to variation after three years as per the Supreme Court's judgement dated 28.03.2008.

- (ii) The use of forest land falling in National Parks / Wildlife Sanctuaries will be permissible only in totally unavoidable circumstances for public interest projects and after obtaining permission from the Hon'ble Court. Such permissions may be considered on payment of an amount equal to ten times in the case of National Parks and five times in the case of Sanctuaries respectively of the NPV payable for such areas. The use of non-forest land falling within the National Parks and Wildlife Sanctuaries may be permitted on payment of an amount equal to the NPV payable for the adjoining forest area. In respect of non-forest land falling within marine National Parks / Wildlife Sanctuaries, the amount may be fixed at five times the NPV payable for the adjoining forest area.

The Hon'ble Supreme Court of India vide its order dated 24.04.2008 and 09.05.2008, has also exempted certain category of projects as per the details given below:-

Sl. no.	List of Activities/Projects	Exemption Levels for NPV (as percentage of full chargeable NPV)	Remarks
1	(i) Schools (ii) Hospitals (iii) Children's play-ground of non-commercial nature (iv) Community centers in rural areas	Full exemption up to 1.00 ha of forest land provided: (a) no felling of trees is involved; (b) alternate forest land is not available; (c) the project is of non-commercial	As per Hon'ble Supreme Court Order dated 09.05.2008 regarding correction of the judgement dated 28.03.2008.

पंकज खरे (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
लखनऊ

पंकज खरे (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
लखनऊ

Over-head tanks (vi) Village tanks	nature and is part of the Plan/Non-Plan Scheme of Government; and	
(vii) Laying of underground drinking-water pipeline up to 4" diameter and	if the area is outside National Park/Sanctuary;	
(viii) Electricity distribution line upto 22 KV in rural areas.		
2. Relocation of Villages from the National Parks / Sanctuaries to alternate forest land	Full exemption	-do-
3. Collection of boulders / silts from the river belts in the forest area	Full exemption provided:- (a) area is outside National Park/Sanctuary; (b) no mining lease is approved/signed in respect of this area; (c) the works including the sale of boulders/silt are carried out departmentally or through Government undertaking or through the Economic Development Committee or Joint Forest Management Committee; (d) the activity is necessary for conservation and protection of forests; and (e) the sale proceeds are used for protection/conservation of forests	-do-
4. Laying of underground optical fibre cable	Full exemption provided:- (a) no felling of trees is involved; and (b) areas falls outside National Park/Sanctuary	-do-
5. Pre-1980 regularisation of encroachments and conversion of forest villages into revenue villages	Full Exemption provided these are strictly in accordance with MOEF's Guidelines dated 18.09.1990.	-do-

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वन प्रभाग, पुणे



पंकज खरे (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
सखनरु

पंकज खरे (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
सखनरु

	Field Firing Range	50% of the NPV of the entire area. Full Exemption provided: (a) no felling of trees are involved; and (b) no likelihood of destruction of forest is involved.	26 -do- As per Hon'ble Supreme Court Order dated 24.04.2008.
8.	Wind Energy Projects	50% of the minimum rate of the NPV irrespective of the eco-class in which the project lies provided minimum tree felling is involved.	-do- and CEC clarification dated 22.12.2008.

In case of any other category seeking exemption from payment of NPV, the State Government / User agency may approach Hon'ble Supreme Court of India as per its order dated 24.04.2008 & 09.05.2008.

This issues with the approval of competent authority.

Copy to:-

1. The Principal Chief Conservator of Forests, All States / UTs.
2. The Nodal Officer (FCA), O/o the PCCFs, All States / UTs.
3. All Regional Offices of MoEF located at Bhopal, Shillong, Bangalore, Bhubaneswar, Lucknow and Chandigarh.
4. The RO (HQ), MoEF, New Delhi.
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.

(C.D. Singh)
Sr. Assistant Inspector General of Forests

(C.D. Singh)
Sr. Assistant Inspector General of Forests

पंकज खेर (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
लखनऊ

पंकज खेर (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
लखनऊ

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira
Paryavaran Bhavan, Aliganj, Jorbagh Road
New Delhi-110 003
Date: 6th January, 2022

To

The Additional Chief Secretary (Forest)/Principal Secretary (Forest),
All States Governments/ Union Territory Administration

Sub: Revision of rates of Net Present Value – reg

Sir,

I am directed to invite your attention to Hon'ble Supreme Court's order dated 28.03.2008 in Writ Petition (Civil) No. 202 of 1996 in the matter of T. N. Godavarman Thirumalpad vs. Union of India and Ministry' guidelines dated 05.02.2009 wherein rates to Net Present Value (NPV) to be realized in lieu of diversion of forest land have been fixed based on the outcome scientific assessment of ecosystem goods and services. Hon'ble Supreme Court in the said order has also directed the MoEF&CC for upward revision of the NPV rates.

2. In compliance of order dated 28.03.2008 of Hon'ble Court and with the approval of the competent authority, the following revised NPV rates have been prescribed for levying NPV in lieu of diversion of forest land:

Table: Revised NPV rates based on fitment factor of 1.53

(in Rs.)

Eco-Class	Very Dense	Dense	Open
Class-1	1595790	1436670	1116900
Class-II	1595790	1436670	1116900
Class-III	1357110	1228590	957780
Class- IV	957780	861390	670140
Class-V	1436670	1292850	1005210
Class-VI	1516230	1372410	1069470

पंकज खरे (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
लखनऊ (उ०प्र०)

Eco-Class-I:	Tropical Wet Evergreen Forests, Tropical Semi-evergreen Forests and Tropical Moist Deciduous Forests
Eco-Class-II:	Littoral and Swamp Forests
Eco-Class-III:	Tropical Dry Deciduous Forests
Eco-Class-IV:	Tropical Torn Forests and Tropical Dry Evergreen Forests
Eco-Class-V:	Sub-tropical Broad-Leaved Hill Forests, Sub-Tropical Pine Forests and Sub-Tropical Dry Evergreen Forests
Eco-Class-VI:	Montane Wet Temperature Forests, Himalayan Moist Temperature Forests, Himalayan Dry Temperature Forests, Sub Alpine Forest, Moist Alpine Scrub and Dry Alpine Scrub

3. NPV shall be charged to the extent of ten times of the normal NPV payable in the case of National Parks and five times in the case of Sanctuaries. The use of non-forest land falling within the National Parks and Wildlife Sanctuaries may be permitted on payment of an amount equal to the NPV payable for the adjoining forest area. In respect of non-forest land falling within marine National Parks / Wildlife Sanctuaries, the amount shall be five times the NPV payable for the adjoining forest area;

4. The proposals under the following categories are exempted from NPV to the extent as mentioned in the list below:

Category	Conditions
i. Schools	Full exemption upto 1 ha. of forest land, provided: a. no felling of trees is involved; b. alternate forest land is not available; c. the project is of non-commercial nature and is part of the Plan/Non-Plan Scheme of Government; and d. the area is outside National Park/ Sanctuary
ii. Hospitals	
iii. Children's playground of non-commercial nature.	
iv. Community centres in rural areas.	
v. Over-head tanks	
vi. Village tanks	
vii. Laying of underground drinking water, irrigation and PNG pipeline upto 4 inch diameter	
viii. Electricity distribution line upto 22 KV in rural areas.	

पंकज खरे (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
लखनऊ (उ०प्र०)

ix. Relocation of villages from the National Parks/ Sanctuary to alternate forest land	Full exemption	
x. Collection of boulders/silts from the river belts in the forest area.	Full exemption, provided:- (a) area is outside National Park/ Sanctuary; (b) no mining lease is approved/signed in respect of this area; (c) the works including the sale of boulders/silt are carried out departmentally or through Government undertaking or through the Economic Development Committee or Joint Forest Management Committee; (d) the activity is necessary for conservation and protection of forests; and (e) the sale proceeds are used for protection/conservation of forests.	
xi. Laying of underground optical fiber cable	Full exemption, provided: (a) no felling of trees is involved; and (b) area falls outside National Park / Sanctuary.	
xii. Pre-1980 regularization of encroachments and conversion of forest villages into revenue villages	Full exemption provided these are strictly in accordance with MoEF&CC's Guidelines dated 18.9.1990.	
xiii. Underground mining	Surface strain predicted by 3-D subsidence prediction model	NPV to be paid
	i. Up to 5mm/m	NIL
	ii. 5mm to 10 mm/m	10% of normal rates
	iii. 10mm/m to 15 mm/m	25% of normal rates
	iv. 15 mm/m to 20 mm/m	50% of normal rates
	v. more than 20 mm/m	At Normal rates

पंकज खरे (प्रबन्धक)
 रिलायन्स जियो इन्फोकॉम लिमिटेड
 लखनऊ (उ०प्र०)

xiv. Wind Power Projects	50% at the minimum NPV rate, provided, minimal tree felling is involved, irrespective of the eco-class in which the project lies.
xv. Hydroelectric Projects up to 25 MW capacity	50% of the applicable rates of the forest land actually diverted for setting up of such projects, provided, the project involves felling of not more than 5 trees per hectare.
xvi. Field Firing Range (FFR) of Defence Ministry not involving felling of trees and no likelihood of destruction of forests	At the rate of 20 % of the normal rates of NPV for the forest areas falling within the impact zone. The forest areas falling within safety zone of FFRs shall be fully exempted from the requirement of payment of NPV
xvii. The area of riverbed in a proposed water reservoir, that is to be under permanent submergence throughout the year	50 per cent of the normal rate applicable to the area.

Yours faithfully,

Sd/-

(Sandeep Sharma)

Asst. Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, All State Governments/UTs
2. The Nodal Officer (FCA), Office of the PCCF, All State Governments/UTs
3. The Regional Officer, All Integrated Regional Offices of the MoEF&CC
4. Monitoring Cell, FC Division, MoEFCC, New Delhi
5. Guard File

पंकज खरे (प्रबन्धक)
रिलायन्स जियो इन्फोकॉम लिमिटेड
लखनऊ (उ०प्र०)