

Government of India
Ministry of Environment, Forests & Climatic Change
Northern Regional Office

Bays No.24-25,
Dakshin Marg Sector-31A,
Chandigarh-160030

F.No.: 9-HRC028/2016-CHA

Dated: Wednesday, May 11, 2016

To

The Principal Secretary (Forests),
Government of Haryana,
Haryana Civil Secretariat,
Chandigarh

Sub: Diversion of 13.56 ha of forest land in favour of Executive Engineer, Siwani Water Service Division Bhiwani for widening and rehabilitation of Siwani Feeder from RD 175979 to 249150, under Forest Division and District Hisar, Haryana.

**Ref: (i) Government of Haryana letter No. 115-V-5-2016/3179 dated 25.02.16
(ii) Nodal Officer and CF (FC) letter No. Admn-D-3-6539/335 dated 28.04.16
(iii) Minutes of the meeting of Regional Empowered Committee dated 29.04.16**

Sir,

Please refer to the above cited subject and letters seeking prior approval of the Central Government for diversion of forest land for non-forestry purpose in accordance with section 2 of the Forest (Conservation) Act, 1980.

2. After careful examination of the proposal of the State Government and approval of the REC, **"in-principle" approval is hereby conveyed** for diversion of **13.56 hectares** of forest land for the above mentioned project subject to the following conditions:

- i) Cost of compensatory afforestation as per CA scheme may be realized from the user agency.
- ii) Cost of penal compensatory afforestation as per PCA scheme may be realized from the user agency.
- iii) Net Present Value (NPV) of the forest land being diverted for non-forestry purpose may be realized from the user agency, as per Ministry's directions issued vide letter No. 5-3/2007-FC dated 5th February 2009 and Hon'ble Supreme Court of India's Order dated 30th October 2002, 28th March, 2008, 24th April, 2008 and 9th May 2008;
- iv) As per the orders of the Government of India vide letter No. 5-2/2010-CAMPA dated 24.06.2011, the Net Present Value (NPV) of the forest land and all other CA levies shall be deposited in State specific CAMPA accounts maintained by the Ad-hoc CAMPA in New Delhi in "HARYANA CAMPA" account and this office may be informed by duly filled in prescribed proforma;
- v) All the funds received from the user agency under the project, except the funds realized for regeneration/demarcation of safety zone, shall be transferred to Compensatory Afforestation Fund Management and Planning Authority (CAMPA) in Saving Account pertaining to the State concerned;

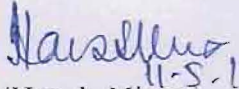
3. The following conditions shall also be complied with after the final approval is accorded:

- i. Legal status of the forest land will remain unchanged;

- ii. Efforts should be made to fell minimum number of trees and in any case, not more than 4178 trees and 960 plants will be removed.
- iii. The CA will be carried out over 27.120 ha forest land as per the CA scheme and the funds will be provided by the user agency. The plantation will be done within one year from the date of issue of this letter.
- iv. The Addl. CA will be carried out by planting 1920 tall plants (6-10 feet) as per the CA scheme and the funds will be provided by the user agency.
- v. The plantation will be done within one year from the date of issue of this letter.
- vi. The forest land will not be used for any other purpose than that mentioned in the proposal;
- vii. The forest land proposed to be diverted shall, under no circumstances, be transferred to any other agency, department, or person without approval of the Central Government;
- viii. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- ix. Adequate underpasses shall be provided by User Agency for safe movement of wildlife wherever required;
- x. The user agency shall raise avenue plantation on both sides of the railway track at their own costs.
- xi. No damage will be done to the adjoining forest land;
- xii. No labour camp shall be established on the forest land;
- xiii. Compensatory afforestation will be done within one year from the date of issue of final approval over the extent of land as approved, out of the funds provided by the user agency;
- xiv. The user agency shall pay additional amount of NPV as and when increased on the order of Hon'ble Supreme Court.
- xv. The User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- xvi. The boundary of the forest land being diverted shall be demarcated on ground at the project cost, using four feet high RCC pillars, each pillar inscribed with the serial number, DGPS coordinates, forward and backward bearings and distance from pillar to pillar etc.;
- xvii. The User Agency shall ensure that because of this project, no damage is caused to the flora and the wildlife available in the area;
- xviii. The user agency will assist the State Government in conservation and preservation of flora and fauna of the area in accordance with the plan prepared by the Chief Wildlife Warden of the State.
- xix. Any other condition that this Regional Office may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife;
- xx. The User agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the concerned Regional Office of the Ministry regularly; and
- xxi. It will be the responsibility of the State Government/User Agency to obtain all other prior approvals/clearances under all other relevant Acts/Rules/ Court's Rulings/instructions, etc., including environmental clearance, as applicable to this proposal.

4. After receipt of the compliance report on fulfillment of the conditions under para-2 above, the proposal shall be considered for the final approval under Section-2 of the Forest (Conservation) Act, 1980. **The use of forest land will not be allowed till final approval is accorded and environmental clearance, if any applicable, is obtained.**

Yours faithfully,


11-5-16
(Harsh Mitter)

Addl. Pr. Chief Conservator of Forests (Central)

Copy to:-

1. The ADGF (FC), Ministry of Environment, Forests and Climate Change, Paryavaran Bhawan, New Delhi.
2. The Pr. Chief Conservator of Forests, Haryana Forest Department, Van Bhawan, Sector-6, Panchkula, Haryana.
3. Nodal Officer-cum CF (FC), Government of Haryana, Forest Department, Sector-6, Van Bhawan, Panchkula, Haryana. 134009
4. The Divisional Forest Officer, Forest Division and District Hisar, Haryana.
5. The Executive Engineer, Siwani Water Services Division, Bhiwani