

To

The Divisional Forest Officer,
Nuh

No. 11516 dated 19-12-2024

Subject: Diversion of 1.8239232 ha. forest land in favour of Executive Engineer, Provincial Division, PWD B&R Nuh (Mewat) for Construction of Ring road from Tauru road to Alwar road via Engineering College, Medical College and Navodaya School Bai in Nuh District. (C.M. Announcement 15242) (Online proposal No. FP/HR/ROAD/ 27251/2017)

Reference: Northern Regional office, Chandigarh letter No. 9-HRB062/2018-CHA dated 20/08/2018 and your office letter No. 1825 dated 22/11/2024.

In this connection, it is submitted that the first stage permission for diversion of 1.8239232 ha. forest land for the work cited as subject was received from the Regional Office, Chandigarh vide letter under reference with the condition that "Mutation and transfer of CA land (Non Forest) in favour of Haryana Forest Department". This office is not in position to mutation and transfer of land CA land (Non Forest) in favour of Haryana Forest Department due to administrative reason:-

Further, offered land for CA site is already used by the Forest Department for ~~installation of~~ plantation and now these plants are developed as trees. It is further intimated that there is no non forest land for C.A. site for the above said project under the jurisdiction of this office. Due to non-availability of C.A. site land, this department is not in position to provide the C.A. site land own level.

Now this case is being pending in CAG Audit Para-2 and urgently required for disposed off from the CAG Audit Para-2. The CAG Audit Para-2 can be disposed off after final approval from the RO Chandigarh.

Clarification regarding Streamlining of the approval process with regards to compensatory afforestation as envisaged in the Van (Sanrakshan Evan Samvardhan) Rules, 2023 as amended on 20/09/2024-Reg. has been issued vide Ministry of Environment, Forest and Climate Change (Forest Conservation Division), New Delhi on 17/12/2024 (Photocopy attached). As per this clarification of point No. (v) (b), this case may please be dealt for exemption of condition for transfer and mutation of land to State Forest Department of the In principle approval condition.

During the review meeting regarding CM announcements with the all administrative secretaries on 06/05/2023 chaired by Hon'ble Chief Minister, Haryana. It was decided in the meeting that the all CM announcements which announced between 2015 to 2020 should be commissioned at the earliest without further delay. This work falls under CM announcement bearing code No.15242 dated 23/10/2017.

In view of above, it is requested that the condition No. vi of para No. 2 for diversion of 1.8239232 ha. Forest land vide online proposal no. FP/HR/Road/27251/2017 may kindly be got deleted or exempted /relaxed from the competent authority, so that final stage approval could be obtained from the RO office and CAG Audit Para-2 may be filed.

DA/As Above

Executive Engineer,
Provincial Division,
PWD (B&R) Br., Nuh

Endst. No.

11517-18 Dated 19-12-2024

Copy of above is forwarded to the following for information and necessary action, please:-

1. The Principle Chief Conservator Forest (FCA), Haryana, Van Bhawan, C-18, Sector - 06, Panchkula-134109. Email:- cffcpanchkula@gmail.com & fcpanchkula@gmail.com
2. Additional Deputy Commissioner, Nuh.

DA/NIL

Executive Engineer,
Provincial Division,
PWD (B&R) Br., Nuh

DY No. 34 Dt. 18/12/24
SO (Coord.)

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

Indira Paryavaran Bhawan,
Aliganj, Jor Bagh Road,
New Delhi: 110003
Dated: December, 2024

To

The Addl. Chief Secretaries of Forests/Principal Secretary (Forests),
All States Governments and Union territory Administrations

Sub: Streamlining of the approval process with regards to compensatory afforestation as envisaged in the Van (Sanrakshan Evam Samvardhan) Rules, 2023 as amended on 20.09.2024 – reg.

Madam/Sir,

I am directed to refer to the above subject and to inform that based on the references received from the Ministry of Mines, and Ministry of Coal, the provisions related to raising of compensatory afforestation, as envisaged in the Van (Sanrakshan Evam Samvardhan) Rules, 2023 as amended on 20.09.2024, have been reviewed by the Ministry and after due deliberations, the Central Government, in accordance with the provisions of section 3C of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 hereby issues the following clarifications:

- i. Provisions of Rule 14(1) of the Van (Sanrakshan Evam Samvardhan) Rules, 2023, provides that the non-forest land identified for raising Compensatory Afforestation (CA) is to be notified as Protected Forests before final approval (Stage-II) approval is granted by the Central Government. However, in cases where non-forest land identified for CA has been transferred and mutated in favour of the State Forest Department (SFD), the Central Government may accord final approval keeping in view the fact that provisions of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 become applicable on such lands being entered as forest in government record/record of rights.
- ii. In such cases, referred in para (i) above, the non-forest land forest land proposed for CA, shall be notified as Protected Forest under section 29 of the Indian Forest Act, 1927 of local forest Act before handing over of forest land to the User Agency by the State Government. The Nodal Officer, after notification of such non-forest lands, shall upload a copy of said notification on the PARIVESH portal.
- iii. For the purpose of rule 13(4)(a) of the States or Union territory Administrations, having forest area more than 33% of their total geographical area, concerned State Government/UT Administration may authorise a suitable officer to issue certificate of non-availability of the suitable non-forest land for raising CA.
- iv. As per the provisions of the Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024, projects of Central Government entities/CPSU and captive coal blocks of the State PSUs are eligible for raising CA over degraded forest land which will be double in extent of the forest land being diverted. Accordingly, the State Government/UT shall not insist for providing non-forest land as CA unless in cases wherein the Central Government

may be circulated
5
18/12/24
SO / coord.

Agencies/CPSUs or State Government PSUs with captive coal blocks are forthcoming to provide non-forest land available with them as CA or the State Government/UT Administration is willing to provides non-forest land on such terms and condition which is agreed by the Central Government Agencies/CPSUs or State Government PSUs in case of captive coal blocks.

v. With regards to the applicability of the provisions of the Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024 in respect of proposals of the Central Agencies/PSUs and captive coal blocks of the State PSUs which were granted 'in-principle' approval stipulating CA over non-forest land, the following clarification is given in this regard:

- a. Proposals, which were submitted by the States/UTs before notification of Van (Sanrakshan Evam Samvardhan) Amendment Rules, 2024, along with the proposal of raising CA over degraded forest land (DFL) and were granted 'in-principle' approval stipulating CA over non-forest land (NFL), shall be allowed to submit compliance of 'in-principle' approval along with CA proposal over DFL in lieu of NFL. The Central Government will consider and grant final approval in such cases stipulating CA over DFL.
- b. Proposals, which were submitted by the States/UTs along with CA proposal over non-forest land and were granted 'in-principle' approval stipulating CA over non-forest land (NFL), can also be allowed to submit compliance of 'in-principle' approval along with CA proposal over DFL provided the non-forest land proposed for CA is not transferred and mutated in favour of the State Forest Department. In such cases, the Central Government or its Regional Office, based on the request of the State/UT Government or user agency, shall amend the condition of in-principle approval to raise CA over DFL on a case to case basis and subsequently the User Agency shall submit the compliance of in-principle for the obtaining the 'final' approval.

In view of the above, the State Government and Union territory Administrations are requested to take into consideration the guidelines mentioned hereinabove while considering the proposals submitted under section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.

This issues with the approval of the competent authority.

Signed by

Charan Jeet Singh

Date: 17-12-2024 13:56:41

Yours faithfully,

(Charan Jeet Singh)
Scientist 'E'

Copy to:

1. Director, PMO, South Block, New Delhi
2. Secretary, Ministry of Mines /Coal /Steel/ Power/ Railways/ MoRT&H/ Defence/MHA
3. Secretary, Ministry of Defence, Government of India
4. Principal Chief Conservator of Forests & HoFF, All States Governments and Union territory Administrations
5. Dy Director General of Forests (Central) All Regional Offices of the MoEF&CC

6. Nodal Officers, dealing with the matters related to the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980, All States Governments and Union territory Administrations
7. Head, NIC, MoEFCC for aligning the PARIVESH 2.0 as per above



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
उत्तर क्षेत्रीय कार्यालय, चंडीगढ़ / Northern Regional Office, Chandigarh



मिसिल संख्या :- 9-HRB062/2018-CHIA
सेवा में,

दिनांक: 20-08-2018

अतिरिक्त मुख्य सचिव (वन),
हरियाणा सरकार,
हरियाणा सिविल सचिवालय,
चण्डीगढ़ -160001

विषय:- Diversion of 1.8239232 ha of forest land in favour of Executive Engineer, Provincial Division, PWD B&R Br., Nuh for construction of Ring Road from Tauru road to Alwar road via Engineering College, Medical College and Navodaya School Bai, under forest division and District Nuh Haryana. (Online proposal number FP/HR/Road/27251/2017)

संदर्भ: i). प्र०मु०वन संरक्षक, हरियाणा के पत्र संख्या प्रशा डी तीन 8306/4332 दिनांक 19.03.2018

महोदय,

कृपया उपर्युक्त विषय से संदर्भित पत्र का अवलोकन करें जिसमें वन (संरक्षण) अधिनियम, 1980 की धारा-2 के अधीन अनुमति मांगी गई है।

2. राज्य सरकार के प्रस्ताव का ध्यानपूर्वक अध्ययन करने के पश्चात उपर्युक्त विषय हेतु 1.8239232 हेक्टेयर वन भूमि के उपयोग के लिए सैधांतिक स्वीकृति निम्नलिखित शर्तों को पूरी करने पर प्रदान की जाती है।


- प्रयोक्ता एजेंसी से CA स्कीम के अनुसार प्रतिपूर्ति पौधारोपण और अतिरिक्त प्रतिपूर्ति पौधारोपण की राशि जमा करवाई जाये।
- माननीय उच्चतम न्यायालय के आदेश दिनांक 30.10.2002, 28.03.2008, 24.04.2008 एवं 09.05.2008 तथा पर्यावरण एवं वन मंत्रालय, भारत सरकार, नई दिल्ली के निर्देश संख्या 5-3/2007-FC दिनांक 05.02.2009 के अनुसार प्रयोक्ता एजेंसी से प्रस्तावित वन भूमि की नैट प्रजेंट वैल्यू जमा करवाई जाये।
- प्रयोक्ता एजेंसी भुगतान राशि पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय की वेबसाइट <http://forestsclearance.nic.in> या <http://cfclearance.nic.in> पर केवल ऑनलाइन माध्यम से जमा करवाएगी।
- User agency should ensure that the compensatory levies (CA cost, NPV, etc.) are deposited through challan generated online on web portal and deposited in appropriate bank only. Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
- User Agency shall ensure that no other proposal in the division, for which Stage-I has already been granted in the past, is still pending for compliance of conditions of Stage-I approval. An Undertaking to this effect that "no such proposal for compliance of conditions of Stage-I approval is pending with this division" be submitted. Compliance of the same will be mandatory for the final clearance of this proposal by this office.
- Mutation and transfer of CA land (Non forest) in favour of Haryana Forest Department.

अन्तिम स्वीकृति के उपरांत निम्नलिखित शर्तों का पालन भी किया जायेगा।

- वन भूमि की विधिक परिस्थिति बदली नहीं जाएगी।

- ii. प्रस्ताव के अनुसार कम से कम वृक्ष काटे जायेंगे। प्रस्ताव के अनुसार काटे जाने वाले वृक्षों की संख्या 241 और पौधों की संख्या 1129 से अधिक नहीं होगी।
- iii. वन भूमि का प्रयोग प्रस्ताव में दर्शाये गये उद्देश्य के अलावा किसी अन्य उद्देश्य के लिये नहीं किया जायेगा।
- iv. साथ लगते वन और वन भूमि को किसी तरह का कोई नुकसान नहीं पहुंचाया जायेगा और साथ लगते हुए वन और वन भूमि को बचाने के लिये सभी प्रयत्न किये जायेंगे।
- v. जब कभी भी NPV की राशी बढ़ाई जायेगी तो उस बढ़ी हुई NPV की राशि को जमा करने के लिए प्रयोक्ता एजेंसी बाध्य होगी।
- vi. एवेन्यू वृक्षारोपण, सड़क के दोनों ओर व मध्य भाग पर आईआरसी विनिर्देश के अनुसार उपयोगकर्ता एजेंसी द्वारा किया जाएगा।
- vii. स्थानान्तरण के लिए प्रस्तावित वन भूमि को केंद्रीय सरकार की पूर्व अनुमति के बिना किसी भी परिस्थिति में किसी अन्य एजेंसी, विभाग या व्यक्ति विशेष को हस्तांतरित नहीं किया जायेगा।
- viii. केंद्रीय सरकार की अनुमति के बिना प्रस्ताव की ले आउट प्लान को बदला नहीं जायेगा।
- ix. वन भूमि पर किसी भी प्रकार का कोई श्रमिक शिविर नहीं लगाया जायेगा।
- x. प्रयोक्ता एजेंसी द्वारा बांछित भूमि संरक्षण पैमाने उपयोग किये जायेंगे, जिसके लिए प्रयोक्ता एजेंसी द्वारा वर्तमान दरों पर धनराशी उपलब्ध करायी जायेगी।
- xi. प्रयोक्ता एजेंसी द्वारा श्रमिकों तथा कार्यस्थल पर कार्यरत स्टाफ को अधिमानतः वैकल्पिक इंधन उपलब्ध करायेगी, ताकि साथ लगते वन क्षेत्र को किसी प्रकार के नुकसान तथा दबाव से बचाया जा सके।
- xii. यदि आवश्यक हो तो प्रयोक्ता एजेंसी पर्यावरण (सुरक्षा) अधिनियम 1980, के अनुसार पर्यावरण अनुमति प्राप्त करेगी।
- xiii. कूड़ा कर्कट निपटान वन विभाग द्वारा जारी योजना के अनुसार किया जायेगा।
- xiv. अन्य कोई भी शर्त इस क्षेत्रीय कार्यालय द्वारा वन तथा वन्य जीवों के संरक्षण, सुरक्षा तथा विकास हेतु समय-समय पर लगाई जा सकती है।
- xv. यदि कोई अन्य सम्बंधित अधिनियम/अनुच्छेद/नियम/न्यायालय आदेश/अनुदेश आदि इस प्रस्ताव पर लागू होते हैं तो उनके अधीन जरूरी अनुमति लेना राज्य सरकार की जिम्मेवारी होगी।

4. उपरोक्त पैरा-2 के अधीन शर्तों की अनुपालना रिपोर्ट प्राप्त होने के उपरान्त वन संरक्षण अधिनियम, 1980 की धारा-2 के अधीन अन्तिम स्वीकृति के लिये प्रस्ताव पर विचार किया जायेगा। केन्द्रीय सरकार की अन्तिम अनुमति दिये जाने तक वन भूमि का उपयोग नहीं किया जायेगा।

भवदीय,

 (सी० डी० सिंह)
 29/08/2018
 अ० प्र० मु० वन संरक्षक (केन्द्रीय)

प्रतिलिपि:-

1. अपर वन महानिदेशक (वन), पर्यावरण वन एवं जलवायु परिवर्तन, मंत्रालय, इन्द्रा पर्यावरण भवन, जोर बास, अलीगंज, नई दिल्ली।
2. The Principal Chief Conservator of Forests, Haryana Forest Department, Van Bhawan, Sector-6, Panchkula, Haryana.
3. Addl. PCCF (FCA) & CAMPA, Government of Haryana, Forest Department, Sector-6, Van Bhawan, Panchkula, Haryana. 134009
4. The Divisional Forest Officer, Forest Division and District Nuh, Haryana.
5. The Executive Engineer, Provincial Division, PWD B&R Br., Nuh

वन विभाग हरियाणा

कार्यालय वन मण्डल अधिकारी, मेवात-नूह,
गजपाला रोड, वन कम्पलेक्स नूह-मेवात, दूरभाष एवं फैक्स नं०. -01267-274701
E-mail: dfo_mewat@yahoo.com

P.B. (P) NUH
K. Singh

क्रमांक: 1825

दिनांक: 22-11-24

सेवा मे, कार्यकारी अभियंता,
प्रांतीय मण्डल पी०डब्ल्यू०डी०,
बी०एण्ड आर०, ब्रांच नूह।

विषय :- Diversion of 1.8239232 ha of forest land in favour of Executive Engineer, Provincial Division PWD B&R Br. Nuh for construction of Ring Road from Tauru road to Alwar road via Engineering College, Medical and Navodaya School Bai, under forest division and District Nuh, Haryana (Online Proposal No. FP/HR/Road/27251/2017)

संदर्भ:- इस कार्यालय के पत्र क्रमांक 509 दिनांक 06.09.2021, 733 दिनांक 10.11.2021, 803 दिनांक 13.12.2021, 915 दिनांक 16.12.2021, 870 दिनांक 31.12.2021, पत्र क्रमांक 1023 दिनांक 28.02.2022, 90 दिनांक 19.04.2022, पत्र क्रमांक 895 दिनांक 09.01.2023, पत्र क्रमांक 46 दिनांक 12.04.2023 तथा पत्र क्रमांक 309 दिनांक 15.06.2023 तथा पृ० क्रमांक 1017-18 दिनांक 10.10.2024 के निरन्तर में।

संदर्भांकित पत्रों द्वारा विषयांकित प्रस्ताव के सम्बन्ध में आपको सूचित किया गया था कि Ministry of Environment, Forest and Climate Change Integrated Regional Office, Chandigarh File No. 9-HRB062/2018-CHA दिनांक 20.08.2018 द्वारा सैधांतिक स्वीकृति जारी करते समय पत्र के पैरा नं० 2 की क०सं० (VI) पर विषयांकित प्रस्ताव में निर्माण कार्य में प्रभावित होने वाली वन भूमि के बदले उतनी ही भूमि सी०ए० के लिए नॉन फोरेस्ट भूमि को वन विभाग के नाम ट्रांसफर/मुटेशन चढवाकर कागजात इस कार्यालय में प्रस्तुत करने हेतु निर्देश जारी किये गये थे जिसकी अनुपालना में आपको पहले ही लिखा जा चुका है। परन्तु आप द्वारा अब तक सी०ए० के लिए नॉन फोरेस्ट भूमि को वन विभाग के नाम ट्रांसफर/मुटेशन चढवाकर कागजात इस कार्यालय में प्रस्तुत नहीं किये गये है। इस सम्बन्ध में उच्चाधिकारियों से बार-2 स्मरण पत्र प्राप्त हो रहे हैं इसके साथ-2 आपको सूचित किया जाता है कि उक्त प्रस्ताव CAG Audit Para-2 में भी लम्बित चल रहा है।

अतः आपको पुनः लिखा जाता है कि आप एक सप्ताह के अन्दर-2 नॉन फोरेस्ट भूमि को वन विभाग के नाम ट्रांसफर/मुटेशन चढवाकर कागजात इस कार्यालय में प्रस्तुत करें, अन्यथा आपके प्रस्ताव में जारी स्टेज-1 स्वीकृति Revoke करने बारे उच्चाधिकारियों को लिख दिया जायेगा जिसके लिए आपका कार्यालय स्वयं जिम्मेवार होगा।

वन मण्डल अधिकारी,
नूह।

पृ० क्रमांक:

दिनांक:

- एक प्रति निम्न को सूचनार्थ एवं आगामी आवश्यक कार्यवाही हेतु प्रेषित है:-
1. अति० प्रधान मुख्य वन संरक्षक, (FCA) हरियाणा, पंचकुला को उनके पत्र क्रमांक एफ०सी०ए०/1734 दिनांक 20.11.2024 के संदर्भ में सूचनार्थ प्रेषित है।
 2. अति० प्रधान मुख्य वन संरक्षक, दक्षिणी परिमण्डल, गुरुग्राम।
 3. उपायुक्त महोदय नूह।

वन मण्डल अधिकारी,
नूह।