

कार्यालय  
प्रधान मुख्य वन संरक्षक, हरियाणा,  
वन विभाग, हरियाणा सरकार,

सी-18, वन भवन, सेक्टर 6, पंचकुला, दूरभाष/फैक्स +91 172 2563988, 2563861, E-mail: cffcpanchkula@gmail.com

कमांक : प्रशा-डी-तीन-9207/5975

दिनांक : 4-1-2022

सेवा में,

क्षेत्रीय अधिकारी,  
भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय,  
एकीकृत क्षेत्रीय कार्यालय,  
चण्डीगढ़।

विषय: Diversion of 13.684 ha. forest land (closed under section 4 & 5 of PLPA 1900) in favour of Manav Rachna International Institute of Research and Studies along Badkhal-Surajkund Road, R/side under forest division and District Faridabad, Haryana. (Online Proposal No. FP/HR/SCH/41500/2019)

संदर्भ: आपके कार्यालय के पत्र कमांक 9-HRC093/2020-CHA दिनांक 27.04.2021।

उपरोक्त संदर्भाकित पत्र के सम्बन्ध में वन संरक्षक, दक्षिणी, परिमण्डल, गुड़गांव के पत्र 2165 दिनांक 18.08.2021 की प्रति संलग्न भेजते हुये अवगत करवाया जाता है कि वन संरक्षक द्वारा प्रेषित रिपोर्ट अनुसार “ The user agency has undertaken non forestry activity in the said parcel of land without prior approval under Section 2 of PC Act, 1980 and has therefore violated the provisions of the FC Act, 1980.”

यह आपको सूचनार्थ एवं आगामी कार्यवाही हेतु प्रेषित है।

संलग्न/उपरोक्त

V. Manoj 04.1.2022  
प्रधान मुख्य वन संरक्षक  
हरियाणा, पंचकुला।  
3/1/2022

9207

Faridabad

309

Haryana Forest Department  
O/o Chief Conservator of Forest, South Circle, Gurugram  
Sohna Road, Near New Court, Gurugram, Tel. 0124-2320981

No.: 2165

Dated: 18.08.2021

To

Addl. PCCF(FCA)-cum- Nodal Officer  
Van Bhawan, Panchkula.

**Sub.: Diversion of 13.684 ha of forest land (closed under section 4 & 5 of PLPA, 1900) in favour of Manav Rachna International Institute of Research and Studies along Badkhal-Surajkund Road, R/side, under Forest Division and District Faridabad, Haryana (online proposal No. FP/HR/SCH/ 41500/2019)**

Ref.: Your office Endst. No. 1455-56 dated 07.05.2021 and MoEF&CC File No. 9-HRC093/2020-CHA dated 27.04.2021 **P-307**

Divisional Forest Officer, Faridabad vide his letter No. 360 dated 02.08.2021 has informed this office as under:-

- (a) Manav Rachna International Institute of Research and Studies has applied *ex-post-facto* approval of the Central Government under the Forest (Conservation) Act, 1980 for diversion of 13.684 ha of forest land (notified under section 4 of the PLPA, 1900, by special order) in favour of along Badkhal-Surajkund Road, R/side, under Forest Division and District Faridabad, Haryana.
- (b) The proposal was discussed in the meeting of the Regional Empowered Committee held on 15.04.2021 wherein the Committee desired to know from the Nodal Officer, Haryana whether the Forest (Conservation) Act, 1980 or judgment of Hon'ble Supreme Court dated 12.12.1996 in the matter of T. N. Godavarman Thirumulpad vs. UOI & Others is applicable to the proposal. Accordingly, the IRO has requested to provide following information:
- (i) **"State Government to verify/clarify whether violation of Forest (Conservation) Act, 1980 is applicable in this case or not."**
- (c) Manav Rachna International Institute of Research and Studies has established its campus over an area of 13.684 ha of land located in village Mewla Maharajpur District Faridabad, Haryana which is notified under

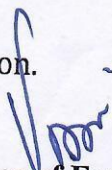
section 4 of the PLPA, 1900, by special order vide Haryana Government No. S.O. 103/P.A./1900/S. 3/1992 dated 18<sup>th</sup> August, 1992. The land notified under section 4 and/or 5 of the PLPA, 1980, by special order, is treated as 'forest' for the purpose of the Forest (Conservation), Act, 1980. The Institute had not submitted any proposal under the FC Act but forest land has been diverted by the Institute without approval under the FC Act and without approval of the Competent Authority in the State. As land has been used without permission under section 2 of Forest Conservation Act, 1980, therefore, user agency has violated the provisions of Forest Conservation Act, 1980. The situation is similar to provisions as contained in para 1.21 (i) (a) of the Handbook of Forest (Conservation) Act, 1980 and Forest Conservation Rules, 2003 (Guidelines & Clarifications), 2019 issued by the Ministry of Environment, Forests and Climate Change, Government of India.

- (d) In this case, the permission for use of forest land for non-forestry purpose has not been granted by the Competent Authority in the State without prior approval of the Central Government as contained in para 1.21 (i) (b) of the Handbook.

The land parcel of the user agency is covered under Government Notification No. S.O.103/P.A./1900/S.3/92 dated 18.8.1992 under Section 4 (under category of specific order) of PLPA of 1900. The said parcel of land is forest land for the purpose of Forest Conservation Act by application of notification dated 18.8.1992 read with orders passed by Hon'ble Supreme Court in WP(C)'s No. 4677 of 1985, 202 of 1995, 202 of 1995 dated 18.03.2004, 11.09.2018, 16.12.2002 respectively.

The user agency has undertaken non-forestry activity in the said parcel of land without prior approval under Section 2 of PC Act, 1980 and has therefore violated the provisions of the FC Act, 1980.

This is for your kind information and further necessary action.

  
**Conservator of Forests,  
South Circle, Gurugram.**