

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

LOK SABHA
UNSTARRED QUESTION NO. 2109
TO BE ANSWERED ON 23.09.2020

Compensatory Afforestation in Telangana

No. 2109 DR. G. RANJITH REDDY:

Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

- (a) whether the Government has recently released money to Government of Telangana under Compensatory Afforestation Act after repeated requests from the State Government and direction from the Supreme Court;
- (b) if so, the details thereof;
- (c) the total money collected from State of Telangana since 2014 June under CAMPA and amount released to the State since 2014;
- (d) whether the Supreme Court has directed the Government to release Rs. 54,000 crores of CAMPA funds to States;
- (e) if, so the details thereof; and
- (f) the details of pending projects under CAMPA from Telangana?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(SHRI BABUL SUPRIYO)

- (a), (b) & (c) It was Supreme Court direction, which resulted in piling up of CAMPA fund. Government passed on its own Compensatory Afforestation Fund (CAF) Act, 2016. Supreme Court okayed it.
- (d) & (e) Hon'ble Supreme Court vide order dated 28.01.2019 in IA No. 5891 of 2019 in Writ Petition (C) No. 202 of 1995 in the matter T.N. Godavarman Thirumulpad V/s Union of India and Ors. inter alia directed the Central Government to create the State Funds and to transfer the amount to the State Funds as per the provisions of the CAF Act (**Annexure-I**).
- (f) NIL

Annexure-I

Annexure referred to in reply to part (d) & (e) of the Lok Sabha Unstarred Question No. 2109 by Dr. G. Ranjith Reddy due for answer on 23.09.2020 regarding Compensatory Afforestation in Telangana

ITEM NO.303

COURT NO.5

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 202/1995

IN RE : T.N. GODAVARMAN THIRUMULPAD

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS. & ORS.

Respondent(s)

("ONLY"[1]INTERLOCUTORY APPLICATION NO. 153299/2018[APPLICATION FOR DIRECTIONS] IN RE :ALLOTMENT OF RESIDENTIAL ACCOMMODATION TO SHRI AMARNATHA SHETTY, MEMBER SECRETARY, CECAND[2]INTERLOCUTORY APPLICATION NO. 166530/2018[APPLICATION FOR PERMISSION] IN RE : [CEC REPORT NO. 46 OF 2018 - REPORT OF CEC IN APPLN. NO. 1427/2018FILED BEFORE IT BY POWER GRID CORPORATION OF INDIA LTD.]IN RE : POWER GRID CORPORATION LTD.AND[3]INTERLOCUTORY APPLICATION NO. 111489/2018[REPORT NO. 32 OF 2018 OF CEC IN APPLN. NO. 1421 OF 2018 FILED BEFORE IT BY MINISTRY OF DEFENCE, UNION OF INDIA]IN RE : MINISTRY OF DEFENCE, UNION OF INDIAAND[4][i] IN RE : STATUS OF FUNDSAND[INTERLOCUTORY APPLICATION NO. 135724/2017[APPLICATION FOR DIRECTIONS]IN RE :COMPENSATORY AFFORESTATION MANAGEMENT AND PLANNING AUTHORITY (CAMPA) FUNDSWITH[iii] INTERLOCUTORY APPLICATION NOS. 3922-3923[APPLICATIONS FOR IMPEADMENT AND DIRECTIONS]WITH[iv] INTERLOCUTORY APPLICATION NO. 5891/2019[APPLICATION FOR DIRECTIONS]AND[5]INTERLOCUTORY APPLICATION NO. 3924[APPLICATION FOR CLARIFICATION OF ORDER DATED 21.11.2008]IN RE : NATIONAL TIGER CONSERVATION AUTHORITYAND[6] INTERLOCUTORY APPLICATION NO. 3949[APPLICATIONS FOR DIRECTIONS]IN RE : GRANT OF MINING LEASE TO M/S PUTAMBEKAR MINERALS"ONLY" ARE LISTED IN W.P.(C) No. 202/1995 "ONLY" ON 28.01.2019 AND THE NAMES OF "ONLY" THE FOLLOWING ADVOCATES MAY BE TREATED TO HAVE BEEN SHOWN AGAINST THESE I.As.MR. HARISH N. SALVE, SR. ADV. [A.C.],MR. A.D.N. RAO, ADVOCATE [A.C.],MR. SIDDHARTHA CHOWDHURY, ADVOCATE [A.C.]MS. APARAJITA SINGH, ADVOCATE [A.C.], MR. G.S. MAKKER,ANDFOR S.NO. [1]MR. A.D.N. RAO, ADVOCATE (A.C.)MR. G.S. MAKKERFOR S.NO. [2]MR. G. S. MAKKER FOR S.NO. [3]MR. M.K. MARORIAFOR S.NO. [4] [i to iv]MR. G.S. MAKKER, MR. RANJAN MUKHERJEE, MR. SHIBASHISH MISHRA, MR. R.S. JENA,FOR S.NO. [5]MR. G.S. MAKKERFOR S.NO. [6]MR. MOHIT PAUL, MR. NISHANT R. KATNESHWARKAR, MR. G.S. MAKKER, MR. KUNAL CHEEMA, M/S KHAITAN AND CO.)

Validly
Digitally signed by
Advocate Ranjith Reddy
Date: 2019.01.28 11:31

n: 28-01-2019 This petition was called on for hearing today.

Vali

: HON'BLE MR.JUSTICE ARUN MISHRA
: HON'BLE MR. JUSTICE DEEPAK GUPTA

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UPON hearing the counsel the Court made the following
O R D E R

I.A.No. 5891 of 2019

As per the order passed by this Court on 05.05.2006, an adhoc arrangement was made before the enactment of National Compensatory Afforestation Fund Act, 2016. Now CAF Act has been enacted, a prayer has been made by the Central Government, Ministry of

Environment and Climate Change to act as per the provisions of the Act. Since the Act has been enacted and this Court's order was for adhoc arrangement only, we permit the Ministry to act as per the provisions of the Act. However, at the same time, we direct that the State Funds be created as per the provisions of Section 4 of the Act and a requisite Notification be issued by each of the State Governments with respect to the same within a period of two weeks from today. Within one week thereafter, the amount shall be transferred by the Central Government to the State Fund as envisaged under the aforesaid Act.

With respect to constitution of the Monitoring Committee as per Section 9(3), let the Monitoring Group proposed to be constituted by the Central Government as per the aforesaid provisions be placed before this Court. With respect to interest also, there is a provision made under the Act. Let the concerned Ministry of Government of India inform this Court how and in what manner they intend to implement the provisions under Section 3(6) and also under Sections 4 and 5 with respect to investment to be made in the interest bearing fund under the Public Accounts in India.

The Adhoc Committee is directed to transfer the fund as per the provisions of the Act to the Central Government.

For further consideration, list the application on 18.02.2019.

I.A.No. 153299 of 2018

It is assured that the matter will be resolved before the next date of hearing.

List the application on 18.02.2019.

I.A.No. 166530 of 2018

Considered the CEC Report No. 46 of 2018. The Power Grid Corporation has filed an affidavit to abide by the conditions. The affidavit is taken on record. The report is accepted.

I.A.No. 111489 of 2018

Let the affidavit be filed by the Ministry of Defence to abide by the conditions imposed by the CEC.

I.A.Nos. 135724/2017, 3922-3923, 5891/2019

Perused the applications. We find that nothing survives in these applications, which are, accordingly, disposed of.

IA No. 3924

Report No. 50 of 2018 of the CEC dated 26.12.2018 is accepted since it is not objected by the National Tiger Conservation Authority (NTCA). The application is disposed of.

IA No. 3949

List the application on 01.03.2019.

I.A.Nos. 1659, 2343, 2784, 3735 and IA No. 179389/2018

(Andaman & Nicobar Admin.)

List these applications on 18.02.2019.

(JAYANT KUMAR ARORA)
COURT MASTER

(JAGDISH CHANDER)
BRANCH OFFICER