

**GOVERNMENT OF INDIA**  
**MINISTRY OF ENVIRONMENT AND FORESTS**  
**RAJYA SABHA**  
**QUESTION NO 26.07.2010**  
**ANSWERED ON**

**COMPENSATORY AFFORESTATION FUND MANAGEMENT AND PLANNING AUTHORITY .**

26

Shri Nandi Yellaiah

Will the Minister of RURAL DEVELOPMENT ENVIRONMENT AND FORESTS be pleased to state :-

- (a) whether the Hon`ble Supreme Court has recently given direction to the Ministry to unlock Rs. 11,000 crore lying idle in the Compensatory Afforestation Fund Management and Planning Authority (CAMPA) and directed for release of Rs. 1000 crores every year to the State, for compensatory afforestation, catchment area treatment plan and works undertaken to employ the rural unemployed following the NREGA scheme; and
- (b) if so, the details of action taken by the Ministry so far in Nagaland, Chhattisgarh, Jharkhand, Maharashtra, Andhra Pradesh, Uttarakhand, Karnataka and Madhya Pradesh towards implementation of the apex Court`s direction?

**ANSWER**

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT AND FORESTS

(SHRI JAIRAM RAMESH)

(a) In this regard, the relevant Order dated 10th July, 2009 pronounced by the Supreme Court of India in I.A.No.2143 in W.P.(C) No.202 of 1995 is reproduced in Annexure I ;

(b) A statement of the funds deposited in the Ad-hoc CAMPA in the accounts pertaining to the States of Chhattisgarh, Jharkhand, Maharashtra, Andhra Pradesh, Uttarakhand, Karnataka and Madhya Pradesh, and the funds disbursed to these State Governments pursuant to the directions contained in the Supreme Court order of 10th July, 2009, referred to above, is shown in Annexure II. No funds have been deposited in the account pertaining to Nagaland.

Annexure I

Annexure referred to in part (a) of the Answer to Rajya Sabha Unstarred Question No.26, answered on 26th July, 2010, by Shri Nandi Yellaiah, Member of Parliament, regarding Compensatory Afforestation Fund Management and Planning Authority.

Text of Supreme Court Order dated 10th July, 2009 in IA No.2143 in WP (C) No.202 of 1995.

Pursuant to a series of Orders passed by this Court for Afforestation purpose, various agencies had deposited amounts by way of Net Present Value (NPV) when the forest area were utilized for non-forest purposes. This amount is lying with the ad-hoc CAMPA. The MoEF, the amicus Curiae and the CEC have discussed the matter and they have come up with a scheme as to how to utilize the deposited amount for the purpose of Afforestation. The CEC has filed a Report framing a scheme and the same has been placed before this Court for consideration. We have examined the scheme and accepted the following recommendations:

A) The guidelines and the structure of the State CAMPA as prepared by the MoEF may be notified/implemented. All previous orders passed by this Court regarding this would stand modified to the extent necessary for implementation of the present proposal.

B) Substantial amount of funds have been received by the Ad-hoc CAMPA and sudden release and utilization of this large sum all at one time may not be appropriate and may lead to its improper use without any effective control on expenditure. This Court considers it appropriate to permit the Ad-hoc CAMPA to release, for the time being, the sum of about Rs.1000 crore per year, for the next 5 years, in proportion of 10% of the principal amount pertaining to the respective State/UT as per the conditions given below:

(i) the details of the bank account opened by the State Executive Committee (in Nationalized Bank) are intimated to the Ad-hoc CAMPA;

(ii)the amount towards the NPV and the protected area may be released after the schemes have been reviewed by the State Level Executive committee and the Annual Plan of Operation is approved by the Steering Committee;

(iii)the amount towards the CA, Additional CA, PCA and the Catchment Area Treatment Plan may be released in the respective bank accounts of the States/UTs immediately for taking up site specific works already approved by the MoEF while granting prior approval under the Forest (Conservation) Act, 1980.

(C)An amount upto 5% of the amount released to the State CAMPA may also be released and utilized by the National CAMPA Advisory Council, for monitoring and evaluation and for the implementation of the various schemes as given in para 19 of the Guidelines on the State CAMPA. It is left to the discretion of the National CAMPA Advisory Council whether it wants to spend money directly or through the Ad hoc CAMPA.

(D)The recommendations for the release of the additional funds, if any, will be made in due course from time to time after seeing the progress made by the State Level CAMPA and the effectiveness of the accounting, monitoring and evaluation systems.

(E)The State Accountant General shall carry out the audit of the expenditure done out of State CAMPA funds every year on annual basis.

(F)The State Level Executive Committee shall evolve an appropriate and effective accounting process for maintenance of accounts, returns and for audit.

(G)The interest received by the State CAMPA on the amounts placed at their disposal by the Ad hoc CAMPA may be used by it for administrative expenditure.

(H)Till an alternative system is put in place (after obtaining permission from this Court) the money towards CA, NPV and Protected Areas (National Parks, Wildlife Sanctuaries) shall continue to be deposited in the Ad hoc CAMPA and its release will continue to be made as per the existing orders of this Court.

While carrying out the work of utilizing these funds the broad guidelines adopted by the NREGA may be followed and as far as possible work may be allotted mostly to rural unemployed people, maintaining the minimum wages level.

The CEC may file status reports as regards implementation of the scheme every six months.