



## First Project in Haryana to Get Post-facto Environmental Clearance | Haryana | 30 Dec 2023

### Why in News?

Recently, a private university built on protected [Aravali](#) land was given a post-facto approval by the **Ministry of Environment, Forest and Climate Change (MoEF&CC)**.

- It is the **first project in Haryana to get post-facto environmental clearance** since the [Forest Conservation Act \(FCA\), 1980](#) was amended.

### Key Points

- Categorized under sections 4 and 5 of [Punjab Land Preservation Act \(PLPA\), 1900](#) the university lies on 13.6 hectares of Aravali land, **which prohibits deforestation, resale and fragmentation of land without prior permission.**
- Due to the amended act the **government can approve projects or industries that had begun functioning without obtaining prior environment clearance** and disclosing their environmental impact after a review in line with provisions of the Act.
- The committee gave its approval on few conditions:
  - The land **should not pass through any national park, wildlife sanctuary, elephant, or tiger reserve.**
  - The university identifies an equal area of non-forest land for **compensatory afforestation** and should carry out plantation on it.
- In exceptional cases **regional forest department offices have been directed to examine and process** such proposals and forward them to the ministry with comments and recommendations for appropriate decisions.
- The amended FCA states that **it will be applicable to land parcels "notified" as forest according to the Indian Forest Act, 1927.** The revised FCA is not applicable in areas converted from forest for non-forest purposes by any government authority authorized by the state before December 12, 1996.
- On December 12, 1996, the Supreme Court delivered its landmark judgment in the [Union of India Vs T N Godavarman case](#) ordering application of the FCA to **any area that qualified as a forest as per its dictionary meaning.**

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## DIVERSION 'UNAVOIDABLE & BAREST MINIMUM'

- 1998 | Construction of university begins next to Badkhal-Surajkund road in Faridabad, continues till 2004-05
- 2008 | Forest dept submits report to Supreme Court, saying the university building and other encroachments on forest land are to be razed
- 2022 | Forest dept tells Union environment ministry university was built in violation of Forest (Conservation) Act, 1980
- 2023 | After FCA amendment, university approaches environment ministry for post-facto clearance. It's granted by advisory committee

### WHY THE NOD

According to the ministry's advisory committee,

- > Requirement of land to be diverted is 'unavoidable and barest minimum'
- > As university proposal envisaged 'access' to education in area, there's forest land is unavoidable
- > University is not located on forest land with any **socio-cultural or cultural** value
- > There's no protected **archaeological/heritage site** or defence establishment in area
- > No rare or endangered species of flora and fauna recorded in area
- > University does not lie in way of any **national park or wildlife sanctuary**



## Sutlej-Yamuna Link Canal Issue | Haryana | 30 Dec 2023

### Why in News?

Union Jal Shakti Minister will be holding a meeting with the Chief Ministers of Haryana and Punjab, as the **meeting conducted earlier failed to bridge the gap between Haryana and Punjab on the Sutlej-Yamuna Link (SYL) canal issue.**

### Key Points

- Underscoring the importance of constructing the SYL, **the Punjab government will submit an affidavit to the Central government**, providing details about the SYL and water situation.
- According to officials, **Punjab has no surplus water** to share with Haryana and reassessment of availability is required as per international norms.
  - In Punjab 76.5% of blocks (117 out of 153) are over-exploited. Here **groundwater extraction is estimated at more than 100%**. In Haryana the figure for over-exploited blocks is 61.5% (88 out of 143).
- Earlier the apex court directed the union government to conduct a survey of the land in Punjab that was assigned for construction of the SYL canal.

