

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 <u>Punjab Land Preservation Act (PLPA)</u>, **1900** the university lies on 13.6 hectares of Aravali land, which prohibits <u>deforestation</u>, 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** <u>Indian Forest Act, 1927</u>. 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 <u>Union of India</u>
 <u>Vs T N Godavarman case</u> ordering application of the FCA to any area that qualified as a
 forest as per its dictionary meaning.

//

DIVERSION 'UNAVOIDABLE & BAREST MINIMU

- 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

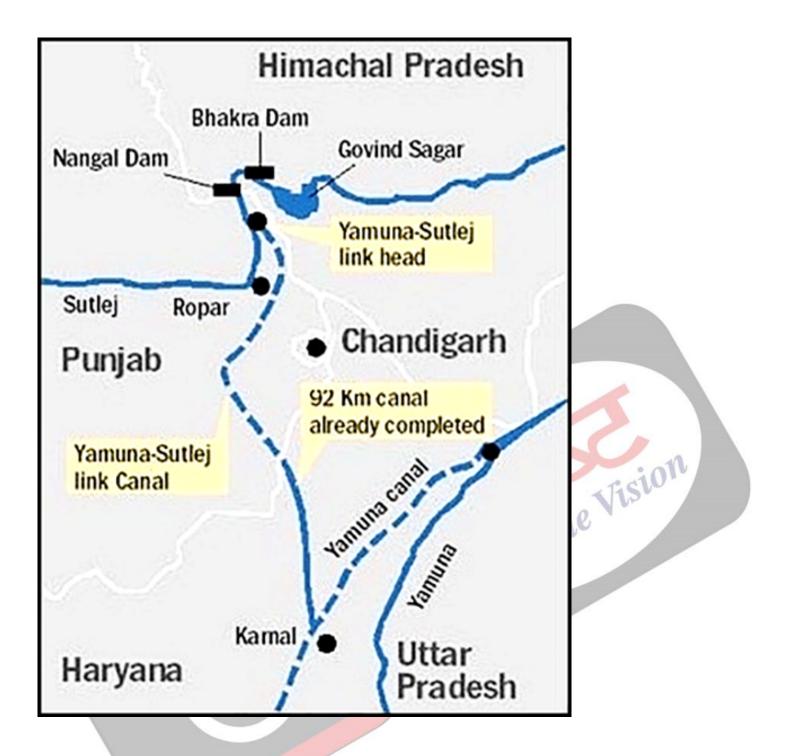
Sutlej-Yamuna Link Canal Issue | Haryana | 30 Dec 2023

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.



PDF Refernece URL: https://www.drishtiias.com/statepcs/27-01-2024/haryana/print