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जयराम रमेश
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MINISTER OF STATE (INDEPENDENT CHARGE)
ENVIRONMENT & FORESTS
GOVERNMENT OF INDIA
NEW DELHI - 110 003

15th July 2009

Dear Shri. Raj Singh Anhanji ---

I write to inform you of recent developments on the issue of the Compensatory Afforestation Fund Management and Planning Authority referred to as CAMPA which has been deadlocked for 7 years.

2. Upon assumption of office, I immediately recognized the potential of the CAMPA funds for afforestation. It was clear that the impasse on the operationalisation of CAMPA could not be allowed to continue. Accordingly, I spoke to all those who could contribute to the decision-making process to involve them in charting out the best and most agreeable course of action.

3. Last week, we approached the Hon'ble Supreme Court and on 10th July, 2009 the Supreme Court issued following orders:

~~That the State CAMPA guidelines prepared by the MoEF for utilizing CAMPA funds should be notified and implemented. These guidelines envisage~~

- (i) A state-level CAMPA Governing Body under the chairmanship of the CM;
- (ii) A state-level CAMPA Steering Committee under the chairmanship of the Chief Secretary, and
- (iii) A state-level CAMPA Executive Committee under the chairmanship of the Principal Chief Conservator of Forests.

• That there will be a National CAMPA Advisory Council under the chairmanship of the Union Minister of Environment & Forests for monitoring, technical assistance and evaluation.

• That as an *interim* arrangement to get CAMPA going, 10% of the accumulated principal amount will be released per year (for the next five years) by the Ad-Hoc CAMPA Authority set up by the Supreme Court Order of May 2006 under the chairmanship of DG-Forests to State CAMPAs. This money will be used for projects identified by the State CAMPA that form part of the state forest department's Annual Plan of Operations (APOs).

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4. The State CAMPA guidelines approved by the Supreme Court seek to promote:

- (i) conservation, protection, regeneration and management of existing forests;
- (ii) conservation, protection and management of wildlife and its habitat within and outside protected areas including the consolidation of the protected areas;
- (iii) compensatory afforestation;
- (iv) environmental services including provision of goods such as non-timber forest products, fuel, fodder and water; and
- (v) research, training and capacity building.

5. The Ad-Hoc CAMPA, as the name suggests, is a purely temporary arrangement. It will liquidate itself once all systems in states are in place and CAMPA has become fully functional in the framework contained in the Supreme Court Orders of July 10th, 2009. The CEC has already approached the Supreme Court for liquidating the Ad-Hoc CAMPA. The Supreme Court has ordered that the CEC submit progress reports once every six months. It is reasonable to assume that with the Centre and states working together cohesively to implement the Supreme Court orders of July 10th, 2009, the Ad-Hoc CAMPA will wind up within the next six to twelve months and State CAMPAs will take over completely.

6. I am enclosing a copy of the State CAMPA guidelines on which action may kindly be taken, along with the opening of an account. I look forward to working with you in our common endeavour for regenerating, protecting and expanding our forest cover.

Warm
With regards,
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Yours sincerely,

Jairam Ramesh
(Jairam Ramesh)

Shri Shivraj Singh Chouhan
Chief Minister of Madhya Pradesh

Encl: as above

Guidelines on State Compensatory Afforestation Fund Management and Planning Authority (State CAMPA)

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Introduction

Guidelines for establishing CAMPAs in the States/UTs and putting in place a funding mechanism for enhancing forest and tree cover and conservation and management of wildlife by utilising funds received towards Compensatory Afforestation, Net Present Value (NPV), etc., currently available with the Adhoc CAMPA.

The guidelines, prepared are, by and large, in line with the discussions held in the meeting of the Chief Secretaries, have the objective to assist the States/UTs for setting up the requisite mechanism and are in consonance with the directions issued from time to time by the Hon'ble Supreme Court.

These guidelines have desired flexibility; therefore the States/UTs would be able to notify the State level CAMPAs keeping in view specific conditions prevailing there.

Overarching Objectives and Core Principles

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An Authority to be known as the "State Compensatory Afforestation Fund Management and Planning Authority" (State CAMPA) is intended as an instrument to accelerate activities for preservation of natural forests, management of wildlife, infrastructure development in the sector and other allied works.

2. The State CAMPA would presently receive monies collected from user agencies towards compensatory afforestation, additional compensatory afforestation, penal compensatory afforestation, Net Present Value (NPV) and all other amounts recovered from such agencies under the Forest (Conservation) Act, 1980 and presently lying with the Adhoc CAMPA.

3. The State CAMPA would administer the amount received from the Adhoc CAMPA and utilize the monies collected for undertaking compensatory afforestation, assisted natural regeneration, conservation and protection of forests, infrastructure development, ~~wildlife conservation and protection and other related activities and for matters connected therewith or incidental thereto.~~

4. State CAMPA would serve as a common repository of funds accruing on account of compensatory afforestation and NPV. It would deploy funds as per guidelines governing the use of funds for conservation, protection and management of forests. The amounts would also be deployed for wildlife preservation and enhancement of wildlife habitats.

5. State CAMPA would provide an integrated framework for utilizing multiple sources of funding and activities relating to protection and management of forests and wildlife. Its prime task would be regenerating natural forests and building up the institution engaged in this work in the State Forest Department including training of the forest officials of various levels with an emphasis on training of the staff at cutting edge level (forest range level). The amount received by it will also be utilized for providing residential

accommodation to the field staff and necessary machines and equipments to them. These include appropriate arrangement for their conveyance during inspections and protection duty. In short, the department would be modernized to protect and regenerate the forests and wildlife habitat.

6. The State CAMPA may decide to utilize a minor part of its funds for contractual engagement of personnel wherever there is shortage of personnel. This should be done cautiously to avoid recurring revenue expenditure on the State Government. It may also take up State-specific activity relevant to the State, in keeping with the core objectives.

The State CAMPA would also promote a voluntary movement of youth and students for supporting conservation activities initiated/ongoing in the State Forest Department.

8. Aims and Objectives

State CAMPA shall seek to promote:

- (a) conservation, protection, regeneration and management of existing natural forests;
- (b) conservation, protection and management of wildlife and its habitat within and outside protected areas including the consolidation of the protected areas;
- (c) compensatory afforestation;
- (d) environmental services, which include:-
 - (i) provision of goods such as wood, non-timber forest products, fuel, fodder and water, and provision of services such as grazing, tourism, wildlife protection and life support;
 - (ii) regulating services such as climate regulation, disease control, flood moderation, detoxification, carbon sequestration and health of soils, air and water regimes;
 - (iii) non-material benefits obtained from ecosystems, spiritual, recreational, aesthetic, inspirational,

educational and symbolic; and

(iv) supporting such other services necessary for the production of ecosystem services; biodiversity; nutrient cycling and primary production.

(c) Research, training and capacity building.

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9. The Functions of State CAMPA shall include, *inter alia*-

- (i) funding, overseeing and promoting compensatory afforestation done in lieu of diversion of forest land for non-forestry use under the Forest (Conservation) Act, 1980
- (ii) overseeing forest and wildlife conservation and protection works within forest areas undertaken and financed under the programme.
- (iii) maintaining a separate account in respect of the funds received for conservation and protection of Protected Areas.
- (iv) creating transparency for the programme and mobilizing citizen support; and
- (v) earmarking up to two percent of the funds for monitoring and evaluation.

Establishment of a State CAMPA

(1) The State Government may establish the Compensatory Afforestation Fund Management and Planning Authority (State CAMPA) in the State. There shall be credited into the account of State CAMPA-

- (i) Amount transferred to it by the ad-hoc CAMPA.
- (ii) receipt of all monies from user agencies towards compensatory afforestation, additional compensatory afforestation, penal compensatory afforestation, Net Present Value (NPV), Catchment Area Treatment Plan or any money for compliance of conditions stipulated by the Central Government while according approval under the provisions of the Forest (Conservation) Act, 1980;

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- (iii) the unspent funds already realized by States from user agencies and not transferred yet to the Adhoc Compensatory Afforestation Fund Management and Planning Authority for crediting into the Fund by respective States;
- (iv) the funds recoverable from user agencies in cases where forest land diverted falls within the protected areas, that is, areas notified under sections 18, 26A or 35 of the Wildlife (Protection) Act, 1972 for undertaking activities relating to the protection of biodiversity and wildlife, which would be maintained under a separate head; and
- (v) Net Present Value of the forest land diverted for non-forestry purposes, collected under the Forest (Conservation) Act, 1980 and the rules and the guidelines made thereunder and in pursuance of the judgment of the Supreme Court dated the 29th October 2002 from user agencies. And

- (2) The State Government may also credit to the State CAMPA-
- (a) grants or aid received if any;
 - (b) any loan taken by the Authority or any borrowings made by it; and
 - (c) any other sums received by the Authority by way of benefaction, gift or donations.

(3) The monies received in the State CAMPA shall be kept in interest-bearing account(s) in nationalized bank(s) and periodically withdrawn for the works as per the Annual Plan of Operations (APOs) approved by the Steering Committee.

11. Utilization of the money: The money available with the state CAMPA shall be utilized for meeting-

- (i) expenditure towards the development, maintenance and protection of forests and wildlife management as per the approved APO;

- (ii) the non-recurring as well as recurring expenditure for the management of the State CAMPA, including the salary and allowances payable to its officers and other employees; by utilizing a part of the income from interest received by on funds invested by State CAMPA, but excluding income from funds recoverable from the user agencies in cases where forest land diverted falls within the protected areas, that is, areas notified under sections 18, 26A or 35 of the Wildlife (Protection) Act, 1972 for undertaking activities related to protection of biodiversity and wildlife;
- (iii) the expenditure incurred on monitoring and evaluation subject to overall ceiling of 2% of the amount to be spent every year; and
- (iv) disbursement on such other projects related to forest conservation.

12. Disbursement of funds:

- (1) The money received for compensatory Afforestation, additional compensatory afforestation, penal compensatory afforestation, Catchment Area Treatment Plan and for any other site specific scheme may be used as per site specific schemes submitted by the State along with the approved proposals for diversion of forest land under the Forest (Conservation) Act, 1980.
- (2) After receipt of the money, State CAMPA shall accomplish the afforestation for which money is deposited in the Compensatory Afforestation Fund within a period of one year or two growing seasons after project completion, as may be appropriate.
- (3) The money received on account of Net Present Value (NPV) shall be used for natural assisted regeneration, forest management, protection, infrastructure development, wildlife protection and management, supply of wood and other forest produce saving devices and other allied activities.
- (4) Monies realized from the user agencies in pursuance of the Hon'ble Supreme Court's orders or decision taken by the National Board for Wildlife involving cases of diversion of forest land in protected areas shall form a distinct corpus and

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shall be used exclusively for undertaking protection and conservation activities in protected areas of the State.

- (5) State CAMPA shall release monies to the field officers in predetermined installments as per the Annual Plan of Operation (APO) finalized.

13. State CAMPA shall consist of a Governing Body, a Steering Committee and an Executive Committee.

14(1) The Governing body of the state CAMPA shall consist of the following:

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| (i) | Chief Minister | Chairperson |
| (ii) | Minister of Forests | Member |
| (iii) | Minister of Finance | - Member; |
| (iii) | Minister of Planning | - Member; |
| (v) | Chief Secretary | - Member |
| (vi) | Principal Secretary (Finance) | - Member |
| (vii) | Principal Secretary (Planning) | - Member |
| (viii) | Principal Chief Conservator of Forests | - Member |
| (ix) | Chief Wildlife Warden | - Member |
| (x) | Secretary (Forests) | - Member Secretary |

The Governing Body shall lay down the broad policy framework for the functioning of State level CAMPA and review its working from time to time.

14(2). The Steering Committee of State CAMPA shall consist of the following:

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| (i) | Chief Secretary | - Chairperson |
| (ii) | Principal Chief Conservator of Forests | - Member |
| (iii) | Principal Secretary (Forests) | - Member |

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|---|---|------------------|
| (iv) Principal Secretary (Finance) | - | Member |
| (v) Principal Secretary (Planning) | - | Member |
| (vi) Chief Wildlife Warden | - | Member |
| (vii) Nodal Officer | - | Member |
| (viii) A representative of the Ministry of
Environment & Forests | - | Member |
| (ix) Two eminent NGO's to be nominated
by the State Government for a period of
2 years at a time who shall be eligible
for re-nomination | - | Member |
| (x) Chief Conservator of Forests (Plan/Schemes) | - | Member Secretary |

14(3) The Steering Committee shall-

- (i) lay down and / or approve rules and procedures for the functioning of the body and its Executive Committee, subject to the overarching objectives and core principles of State CAMPA;
- (ii) monitor the progress of the utilization of funds raised by the State CAMPA;
- (iii) approve the Annual Plan of Operation (APO) prepared by the Executive Committee;
- (iv) approve the annual reports and audited accounts of the State CAMPA;
- (v) ensure inter-departmental coordination;
- (vi) meet at least once in six months.

15(1) The Executive Committee shall consist of the following

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|--|---|-------------|
| (i) Principal Chief Conservator of Forests | - | Chairperson |
| (ii) Chief Wildlife Warden - | - | Member |
| (iii) Chief Conservator of Forests (Plan/Schemes) | - | Member |
| (iv) Financial Controller/Financial Adviser in the | | |

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- O/o the Principal Chief Conservator of Forests - Member
- (v) Two eminent NGO's to be nominated by the State Government for a period of 2 years at a time who shall be eligible for re-nomination Member
- (vi) Nodal Officer Member Secretary

(2) The State level Executive Committee shall -

- (i) take all steps for giving effect to the State CAMPA and overarching objectives and core principles, in accordance with rules and procedures approved by the Steering Committee and the approved APO;
- (ii) prepare the APO of the State for various activities, submit it to the Steering Committee before end of December for each financial year, and obtain the Steering Committee's concurrence for release of funds, while giving break-up of the proposed activities and estimated costs;
- (iii) supervise the works being implemented in the State out of the funds released from the State CAMPA;
- (iv) be responsible for proper auditing of both receipt and expenditure of funds;
- (v) develop the code for maintenance of the account at the implementing agency level;
- (vi) submit reports to the Steering Committee for review / consideration; and
- (vii) prepare Annual Report by end-June for each financial year.

5. Accounting Procedure

- (1) State CAMPA shall prepare, in such form and at such time in each financial year as may be prescribed, its budget for the next financial year, showing the estimated receipts and expenditure of the State CAMPA.
- (2) State CAMPA shall adopt financial regulations and procedures, .

in particular the procedure for approval and implementing the APO.

- (3) State CAMPA shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed in consultation with the Accountant General concerned.
- (4) The accounts of the State CAMPA shall be audited by the Accountant General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Authority to the Accountant General.
- (5) The Accountant General and any other person appointed by him in connection with the audit of the accounts of the State CAMPA shall have the same rights and privileges and authority in connection with such audit as the Accountant General generally has in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office of the State CAMPA.
- (6) The accounts of the State CAMPA as certified by the Accountant General or any other person appointed by him in this behalf together with the audit report thereon and annual report, shall be forwarded annually to the State Government, the MoEF and the Adhoc CAMPA by the State CAMPA.
- (7) The State Government and the MoEF shall have the power to conduct special audit or performance audit of the State CAMPA.
- (8) The Annual Report shall provide, *inter alia*, for--
 - (i) the details of various works done and the amount spent;
 - (ii) the details of the amount received by the State CAMPA from various sources; and
 - (iii) the observations made in the audit report.

Monitoring and evaluation of the works

- (1) An independent system for concurrent monitoring and

evaluation of the works implemented in the States utilizing the funds available shall be evolved and implemented to ensure effective and proper utilization of funds.

- (2) The National CAMPA advisory council shall have the powers to order special inspection and financial audit of works executed by the State CAMPA with utilizing CAMPA money.
- (3) If satisfied that the funds released are not being utilized properly, the National CAMPA advisory council as well as the State level Steering Committee shall have the power to withhold or suspend the release of remaining funds or part thereof.

18. National CAMPA Advisory Council

A National CAMPA Advisory Council shall be established. It will

- (i) Lay down broad guidelines for State CAMPA;
- (ii) Regularly monitor and evaluate, in consultation with states, projects being undertaken by state CAMPAs.
- (iii) Facilitate scientific, technological and other assistance that may be required by state CAMPAs
- (iv) Make recommendations to state CAMPAs based on a review of their plans and programmes.
- (v) Provide a mechanism to state CAMPAs to resolve issues of an inter-state or Centre-state character.

The composition of the Council shall be as follows:

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| (i) Minister of Environment and Forests | Chairperson |
| (ii) Three PCCF's by rotation with a term of one:
year each. | Member |
| (iii) two environmentalist / conservationists /
scientists / economists / social scientists | Member |

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- with a non-renewable term of two years
- (iv) Director General Forests & Special Secretary, MoEF
 - (v) IG (Forest Conservation), MoEF

Member Secretary

The existing establishment of adhoc CAMPA would be utilized as secretariat to the National CAMPA Advisory Council. The expenditure will be met out of the provision kept for Monitoring and Evaluation of the programme.

19. In addition to the above out of the interest received / accrued so far with the Ad hoc CAMPA, a suitable amount, with the permission of the Supreme Court, will be retained by the Adhoc CAMPA and will be utilized as per the specific schemes as approved by the National CAMPA Advisory Council. These will include monitoring and evaluation of schemes implemented in the States or the UTs utilizing CAMPA money, setting up of institutes, societies, center of excellence in the field of forest and wildlife, pilot schemes, standardization of codes/ guidelines, etc., for the sector.