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# SC seeks Uttarakhand response on misuse of afforestation funds

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## Context

The Supreme Court on Wednesday sought a response from the Uttarakhand Chief Secretary to allegations based on a Comptroller and Auditor General (CAG) report in the public domain about the misuse of Compensatory Afforestation Fund Management and Planning Authority (CAMPA) funds by the State Forest Department to buy gadgets, including iPhones and laptops.

The CAG document and media reports on it were brought to the notice of a Bench of Justices B.R. Gavai and A.G. Masih by amicus curiae, senior advocate K. Parameshwar.

“The CAMPA fund is to be utilised for increasing the green cover. Utilisation of the same for non-admissible activities and not depositing the interest as per the Act with the SCAF (State Compensatory Afforestation Funds) is a matter of serious concern. We, therefore, direct the Chief Secretary of Uttarakhand to file an affidavit on these aspects,” the court directed the State



## Compensatory Afforestation Fund Act, 2016

The Compensatory Afforestation Fund Management and Planning Authority was initially established under the **Forest (Conservation) Act, 1980**.

However, with time, the management of compensatory afforestation funds started facing several challenges.

Accordingly, the **Compensatory Afforestation Fund Act, 2016** was enacted, which formalised the structure and functioning of the Compensatory Afforestation Fund Management and Planning Authority.

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## Major provisions of the Compensatory Afforestation Fund Act, 2016

It established the **National Compensatory Afforestation Fund (NCAF)** under the Public Account of India and the **State Compensatory Afforestation Funds (SCAFs)** under the Public Accounts of States.

The fund will be used for compensatory afforestation, additional compensatory afforestation, penal compensatory afforestation, net present value, catchment area treatment plan or any money for compliance of conditions stipulated by the Central Government while according to approval under the provisions of the Forest (Conservation) Act, 1980.

## Challenges in Implementation of CAMPA

The law stipulates the selected land should preferably be adjacent and contiguous to the forest being diverted so that it is easier for forest officials to manage it. Therefore, the main difficulty has been the **availability of non-forest land for afforestation**.

There is **difficulty finding land**, especially in smaller states and heavily forested ones like Chhattisgarh.

The list of works for which this money can be utilised also includes other programmes of the Green India initiative apart from afforestation. Thus, this **diversion of funds needs to be properly monitored**.

The act will have adverse consequences for the **rights of tribals and forest dwellers**. For instance, as per the act, the forest bureaucracy can unilaterally decide how the CAMPA funds will be spent.