

F. No. 11-146/2015-FC
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi - 110 003
Dated: 22nd June, 2015

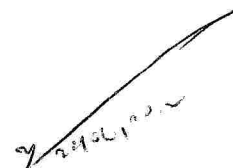
To
The Principal Secretary (Forests),
All State / Union Territory Governments

Sub: Diversion of forest land for non-forest purpose under the Forest (Conservation) Act, 1980 - Guidelines regarding land identified for creation of compensatory afforestation in lieu of forest land diverted for non-forest purpose.

Sir,

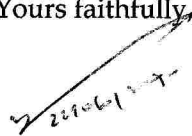
I am directed to say that guidelines issued under the Forest (Conservation) Act, 1980 *inter-alia* provides that in the event that non-forest land of compensatory afforestation is not available in the same district, non-forest land for compensatory afforestation may be identified anywhere else in the State/UT as near as possible to the site of diversion, so as to minimize adverse impact on the micro-ecology of the area, and to say that it has been brought to notice of this Ministry that in case of some proposals due to bifurcation of States during processing of proposals seeking prior approval of Central Government under the Forest (Conservation) Act, 1980, the land identified for creation of compensatory afforestation within the undivided State, and the forest land proposed to be diverted do not fall in the same newly created State.

After careful examination of matter I am directed to say that to deal with such peculiar situations and to avoid hardship to the concerned user agencies, such proposals shall continue to be processed without insisting on identification of non-forest land for creation of compensatory afforestation in the State in which the forest land proposed to be diverted is located. In such cases, in case Central Government agrees in-principle to divert forest land for non-forest purpose, it shall be subject to a condition that amounts realised from the user agency for creation and maintenance of compensatory afforestation shall be transferred to the State in which the land identified for creation of compensatory afforestation is located. In case for some valid and cogent reason, cost of creation and maintenance of compensatory afforestation needs to be revised, additional amount, if any, will be realised from the concerned user agency. All other levies realised from the user agency in lieu of diversion of such forest land will however be retained in the State in which the forest land proposed to be diverted is located.



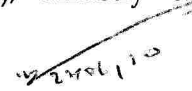
This issues with approval of the Hon'ble Minister of State (Independent Charge) for Environment, Forest and Climate Change.

Yours faithfully,


(H.C. Chaudhary)
Director

Copy to:-

1. Prime Minister's Office (*Kind attn.:* Shri Santosh D. Vaidya, Director).
2. Principal Chief Conservator of Forests, all States/UTs.
3. Nodal Officer, the Forest (Conservation) Act, 1980, all States/UTs.
4. All Regional Offices, Ministry of Environment, Forest and Climate Change (MoEFCC) for information and necessary action.
5. Joint Secretary, In-charge, Impact Assessment Division, MoEF.
6. PS to the Hon'ble Minister of State (Independent Charge) for Environment, Forest and Climate Change.
7. Chairman, State Environment Impact Assessment Authority, all States/UTs.
8. Member-Secretary, State Environment Impact Assessment Authority, all States/UTs.
9. All Directors/ Assistant Inspector General of Forests in Forest Conservation Division, MoEFCC for information and necessary action.
10. All Advisors/ Directors/ Dy. Directors in the Impact Assessment Division, MoEFCC.
11. Director, Regional Office (Headquarters), MoEFCC.
12. Sr. Director (Technical), NIC, MoEFCC with a request to place a copy of this letter on website of this Ministry.
13. Sr. PPS to the Secretary, Ministry of Environment, Forest and Climate Change.
14. Sr. PPS to Director General of Forests and Special Secretary, Ministry of Environment, Forest and Climate Change.
15. Sr. PPS to Addl. Director General of Forests (Forest Conservation), Ministry of Environment, Forest and Climate Change.
16. Sr. PPS to Inspector General of Forests (Forest Conservation), Ministry of Environment, Forest and Climate Change.
17. Guard File.


(H.C. Chaudhary)
Director