

E. No. 5-1/2012-FC
Government of India
Ministry of Environment and Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 510
Dated: 3rd May, 2013

To

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

Sub: Guidelines for diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980 - Modification in para 2.8 thereof.

Sir,

I am directed to say that it has come to the notice of this Ministry that in some cases approval under the Forest (Conservation) Act, 1980 have been sought and obtained for diversion of forest land in favour of Central Government Departments/undertakings by availing concessions applicable to them but later on, those approvals have been, or are, proposed to be transferred in favour of the user agencies other than the Central Government or Central Government Undertakings.

This Ministry after detailed examination of this matter hereby decides that to deal with such cases the following shall be added in para 2.8 of the guidelines issued under the Forest (Conservation) Act, 1980:

"Provided that in case transfer of lease is from Central Government/Central Government Undertaking to a user agency other than the Central Government/Central Government Undertaking, the proposal seeking approval under the Act will be examined by the Central Government afresh. The Central Government after examination of the proposal and the conditions stipulated in the approval accorded under the Act, shall modify the conditions stipulated in the approval accorded in favour of the Central Government /Central Government undertaking and/or shall stipulate additional condition(s), so as to ensure that the special concessions admissible to the Central Government/Central Government Undertakings are not extended to the user agency to whom the lease is proposed to be transferred."

This issues with the approval of the Hon'ble Minister of State (Independent Charge) for Environment and Forests.

Yours faithfully,

(H.C. Chaudhary)

Assistant Inspector General of Forests

Copy to:-

1. Principal Chief Conservator of Forests, all State/Union Territory Governments.
2. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments.

- All Regional Offices, Ministry of Environment & Forests (MoEF).
4. Joint Secretray in-charge, Impact Assessment Division, MoEF.
 5. All Assistant Inspector General of Forests and the Directors in the Forest Conservation Division, MoEF.
 6. Director R.O. (HQ), Ministry of Environment & Forests, New Delhi.
 7. Monitoring Cell, Forest Conservation Division, MoEF with a request to place a copy on website of the MoEF.
 8. Sr. PPS to the Secretray, Environment and Forests.
 9. Sr. PPS to the Director General of Forests & Special Secretray, MoEF.
 10. Sr. PPS to Addl. Director General of Forests (Forest Conservation), MoEF.
 11. PS to the Inspector General of Forests (Forest Conservation), MoEF.
 12. Guard File.

22/03/12
(H.C. Chaudhary)
Assistant Inspector General of Forests