

**F. No. 11-246/2014-FC**  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Forest Conservation Division)  
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**Indira Paryavaran Bhawan,**  
Jor Bagh Road, Aliganj,  
New Delhi-110003.  
Dated: 21<sup>st</sup> December, 2017.

To,  
**Principal Secretary (Forests),**  
All State/UTs.

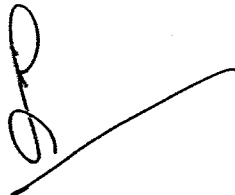
**Sub: General approval under Section-2 of the Forest (Conservation) Act, 1980 for diversion of forest land required for creation of border security related infrastructure within five kilometers aerial distance from the International Border by Paramilitary organizations of the Ministry of Home Affairs- general approval granted to projects involving forest land along Indo-Myanmar and Indo-Bhutan borders upto 16 Km along Indo-Nepal border and within five kilometers of all other International Borders-reg.**

Sir,

I am directed to refer to the letter No. 11-246/2014-FC dated 29.01.2015 wherein this Ministry accorded general approval under Section 2 (ii) of the Forest (Conservation) Act, 1980 vide guideline dated 29<sup>th</sup> January 2015 for diversion of forest land required for creation of border security related infrastructure such as, Border Roads, Fencing, Border Outposts, Floodlights, Surveillance Infrastructure and Power Infrastructure, within *five kilometers* aerial distance from the International Border by paramilitary organizations of the Ministry of Home Affairs, such as Border Security Force (BSF) and Sashastra Seema Bal (SSB) provided by the Ministry of Home Affairs, subject to the conditions referred in the said guideline.

2. Now the Ministry of Home Affairs has brought to notice of this Ministry that the general approval under section 2 (ii) of FC Act 1980 may be granted to projects involving forest land along Indo-Myanmar and Indo-Bhutan borders upto 16 Km and upto 15 Km along Indo-Nepal border on the same conditions as specified in the guideline of the Ministry dated 29<sup>th</sup> January 2015.

3. The matter has been examined in this Ministry and after careful consideration, with a view to expedite creation of strategic Infrastructure along the International Border, this Ministry hereby accords general approval under Section 2 (ii) of the Forest (Conservation) Act, 1980 for diversion of forest land required for creation of Border Security related infrastructure such as, Border Roads, Fencing, Border Outposts, Floodlights, Surveillance Infrastructure, and Power Infrastructure within **sixteen kilometer** aerial distance from the Indo - Bhutan and Indo-Myanmar International Borders and **fifteen kilometer** aerial distance from the Indo-Nepal



International Border and within **five kilometers** of all other International Borders to be executed by the paramilitary organizations of the Ministry of Home Affairs, such as Border Security Force (BSF) and Sashastra Seema Bal (SSB), Border Road Organization (BRO) and other Central Government agencies and PSUs such as National Highways & Infrastructure Development Corporation Limited (NHIDCL) involved in the implementation of such infrastructural projects related to national security from funds provided by the Ministry of Home Affairs, subject to the following conditions:-

- i. Legal Status of the forest land shall remain unchanged;
- ii. The user agency shall submit the project proposal to the State Government in the prescribed i.e. Form -A as provided in Rules- 6 of the Forest (Conservation) Rules, 2003;
- iii. State Government shall accord approval to the proposal duly recommended by Principal Chief Conservator of Forests;
- iv. Forest land proposed to be diverted shall be located outside the Protected Areas notified under the Wild Life (Protection) Act, 1972;
- v. User agency shall explore all feasible alternatives to minimize use of forest land. Forest land to be used for creation of border infrastructure shall be restricted to the bare minimum and shall be used only when it is unavoidable. The concerned Divisional Forest Officer shall certify to this effect;
- vi. Nodal Officer, the Forest (Conservation) Act, 1980 shall submit monthly report to the concerned Regional Office by 5<sup>th</sup> of every Month regularly regarding approval of such cases. In the event of failure, the exercise of power by the State Government to grant such permission may be suspended by the Central Government for a specified period of time of till the information is submitted;
- vii. State Government shall realize from the user agency funds for creation of compensatory afforestation over degraded forest land equal in extent to the area of forest land utilized for construction / widening of the roads;
- viii. User agency shall be responsible for any loss to the flora/fauna in the surroundings and therefore, shall take all possible measures to conserve the same;
- ix. User Agency shall pay the Net Present Value (NPV) of the diverted forest land at the rates stipulated by this Ministry from time to time;
- x. Permission accorded by the State Government shall be subject to the monitoring by the concerned Regional Office of this Ministry;
- xi. Forest land utilized for creation of the border infrastructure projects shall not be used for any purpose other than that specified in the approval accorded by the State Government. Any Change in the land use without prior permission of the Central Government shall amount to violation of the Forest (Conservation) act, 1980. Request of such changes shall be made to this Ministry by the Nodal Officer (Forest Conservation) of the concerned State;
- xii. State Forest department / State Government or the concerned Regional Office of this Ministry may impose from time to time any other condition in the interest of conservation protection and / or development of forests; and
- xiii. This general approval shall be valid till 31<sup>st</sup> December 2020.



4. I am further directed to say that this approval will also be applicable in all the proposals presently under examination in the State Government and in this Ministry on the date of issue of this letter.

This issues with the approval of the Competent Authority.

Yours faithfully,

(Nisheeth Saxena)

Sr. Assistant Inspector General of Forests (FC)

Copy to:-

1. Prime Minister's Office (Kind attn; Shri Santosh D. Vaidya, Director).
2. Secretary, Ministry of Home Affairs, Government of India, New Delhi.
3. Secretary, Ministry of Defence, Government of India, New Delhi.
4. Secretary, Ministry of Road Transport and Highways, Government of India.
5. The Secretary (Coordination), Cabinet Secretariat, Rashtrapati Bhawan, New Delhi.
6. The Member-Secretary, Planning Commission, Government of India, New Delhi.
7. Director General, Border Roads Organization, New Delhi.
8. Principal Chief Conservator of Forests, All States/ UTs.
9. Nodal Officer, the forest (Conservation) Act, 1980, All States/UTs.
10. All Regional Offices, Ministry of Environment, Forests and Climate Change (MoEF & CC), Government of India (GoI).
11. Joint Secretary in-charge, Impact Assessment Division, MoEF&CC, GoI.
12. All Assistant Inspector General of Forests/Directors in the Forest Conservation Division, MoEF&CC, GoI.
13. Director, Regional Offices Headquarters Division, MoEF&CC, GoI.
14. Sr. Director (Technical), NIC, MoEF&CC, GoI with a request to place a copy of this letter on website of this Ministry.
15. PPS to the Secretary, Ministry of Environment, Forest and Climate Change, GoI.
16. PPS to the Director General of Forests & Special Secretary, MoEF&CC, GoI.
17. PPS to the Addl. Director General of Forests (Forest Conservation), MoEF&CC, GoI.
18. PPS to the Inspector General of Forests (Forest Conservation), MoEF&CC, GoI.
19. Guard File.

(Nisheeth Saxena)

Sr. Assistant Inspector General of Forests (FC)

21.12.2017