

F.No.11-9/98-FC
Government of India
Ministry of Environment & Forests
(F.C. Division)

Paryavaran Bhawan, C.G.O. Complex,
Lodi Road, New Delhi-110003.
New Delhi, the 9th June 2005

To,
The Chief Secretary/ Administrator,
All States/UTs.

Sub: Rights of the forest dependent rural poor including tribals recognized under Indian Forest Act, 1927, to collect stones/slates/boulders etc. for bonafide use from forests.

Sir,

Ministry of Environment and Forests has received representations that the rural poor are unable to enjoy their rights of collection of stones/slates/boulders etc. from forest areas for their bonafide use due to the provisions of Forest (Conservation) Act, 1980, though they have enjoyed this right in the past. The matter was examined by the Ministry of Environment and Forests in depth. Ministry observed that although the provisions of Forest (Conservation) Act, 1980 are not the real hurdle, yet a confusion is prevailing in various quarters on this issue and therefore found it appropriate to clarify that the enjoyment of these rights should not be hampered and this will motivate the people including tribals for protection of forests and participation in various Government schemes for development of forestry. After holistic examination of the issue and to provide better living conditions to the rural poor people, which is our constitutional requirement as well, and for the convergence of the provisions of the Indian Forest Act, 1927 and Forest (Conservation) Act, 1980 for their better implementation, the Central Government hereby grants general approval to the State / UT Governments under section 2 of Forest (Conservation) Act, 1980 to permit the right holders to collect the stones/slates/boulders etc. from forest areas for their bonafide use subject to fulfillment of following conditions:

- (i) The enjoyment of rights shall be restricted for bonafide domestic use, within the limits of the Gram Panchayats of the right holders.

- (ii) The stones/slates/boulders etc. will be collected only from the area where the rights of right holder are recognized.
- (iii) The rights will be limited to the extent permitted under the provisions of Indian Forest Act, 1927 or State Forest Act.
- (iv) Under no circumstances, the general approval given shall be used for commercial purposes.

Yours faithfully,



(ANURAG BAJPAI)

Assistant Inspector General of Forests

Copy to:

1. PMO (Attn. Shri K.V. Pratap, Deputy Secretary).
2. Secretary, Ministry of Rural Development, Government of India, New Delhi.
3. Secretary, Ministry of Tribal Affairs, Government of India, New Delhi.
4. Secretary, Ministry of Panchayati Raj, Government of India, New Delhi.
5. The Principal Secretary (Forests), All States/UTs.
6. The Principal Chief Conservator of Forests, All States and UTs.
7. The Chief Conservator of Forests (Central), All Regional Offices, Ministry of Environment & Forests.
8. The Nodal Officer(FC), Forest Department, All States/UTs.
9. Director(FC)
10. Dy. Press Information Officer (Attn. Shri Amit Singhal), Ministry of Environment and Forests, for suitable publicity.
11. AIGF(P)/AIGF(S)
12. NIC for placing it on the website.
13. Guard file.