

F. No. 11- 306/ 2014-FC
Government of India
Ministry of Environment, Forests and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jorbagh Road,
New Delhi - 110 001
Dated: 8th August, 2014

To

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

Sub: Guidelines for diversion of forest land for non-forest purpose under the Forest (Conservation) Act, 1980- Imposition of additional conditions by the State Governments-reg.

Sir,

I am directed to refer to this Ministry's letter F. No. 11-79/2005-FC dated 27th October 2005 on the above-mentioned subject wherein it was informed that the State/UT Government should intimate the Central Government, along with the original proposal submitted for diversion of forest land for non-forestry purposes, about the conditions to be imposed by them. While examining the proposal, the Central Government shall also examine the conditions proposed by the State/UT Government, and include such conditions, as it shall deem fit, in the in-principle approval. This mechanism has been put in place to remove possibilities of similar condition(s) being imposed twice, as well as of non-examination of condition(s) by the Authority competent to grant approval which might, otherwise, lead to contradictions / undue hardships and affect the viability of the project subsequent to grant of forestry clearance by the Central Government.

It has been brought to notice of this Ministry that some of the States / UTs are still stipulating additional conditions apart from conditions stipulated by this Ministry in the in-principle approval under the Forest (Conservation) Act, 1980 for diversion of forest land for non-forest purpose. Stipulation of additional conditions by State/UT Governments without any justification may derail / delay developmental projects.

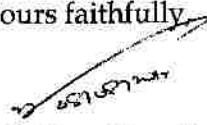
Accordingly, I am directed to say that States / UTs shall not impose any additional conditions over and above the same stipulated by the Central Government in the in-principle approval. In case, subsequent to the in-principle approval granted by the Central Government under the Forest (Conservation) Act, 1980, the State/UT Government feels that exceptional/unforeseen situation warrants imposition of any additional condition(s), prior



approval of the Central Government must be sought by the concerned State/UT Government justifying imposition of such additional condition(s).


This issue with the approval of the competent authority.

Yours faithfully


(H.C. Chaudhary)
Director

Copy to:-

1. Prime Minister's Office (*Kind attn.:* Shri Santosh D. Vaidya, Director).
2. Secretary, Ministry of Road Transport and Highways, Government of India, New Delhi.
3. The Secretary (Coordination), Cabinet Secretariat, Rashtrapati Bhawan, New Delhi.
4. Principal Chief Conservator of Forests, all State/UT Governments.
5. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments.
6. All Regional Offices, Ministry of Environment, Forests and Climate Change (MoEFCC), Government of India (GoI).
7. Joint Secretary in-charge, Impact Assessment Division, MoEFCC, GoI.
8. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEFCC, GoI.
9. Director, Regional Offices Headquarters Division, MoEFCC, GoI.
10. Sr. Director (Technical), NIC, MoEFCC, GoI with a request to place a copy of this letter on website of this Ministry.
11. Sr. PPS to the Secretary, Ministry of Environment, Forests and Climate Change, GoI.
12. Sr. PPS to the Director General of Forests & Special Secretary, MoEFCC, GoI.
13. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEFCC, GoI.
14. PS to the Inspector General of Forests (Forest Conservation), MoEFCC, GoI.
15. Guard File.


(H.C. Chaudhary)
Director