

F. No. 11-306/ 2014-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: 7<sup>th</sup> October, 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- Nature of documents relating to land identified for creation of compensatory afforestation required to be submitted along with the application seeking Stage-I approval under the Forest (Conservation) Act, 1980- *reg.*

Sir,

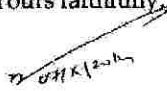
I am directed to say that web portal for online submission and monitoring of forest clearance proposals clearly provides that at the time of submission of application for grant of stage-I approval under the Forest (Conservation) Act, 1980 (FC Act) for diversion of forest land for non-forest purpose, uploading a copy of letter from present owner of the land identified for compensatory afforestation (CA) stating his willingness to sell such land to the user agency for its transfer and mutation in favour of the State Forest Department for creation of CA is only required. It has however, been brought to notice of this Ministry that some of the States/Union Territories are insisting that land identified for creation of CA shall be acquired by the user agency before submitting application for stage-I approval under the FC Act for diversion of forest land required by them. Insistence of the States/ UTs to acquire the land required for CA, results in delay in submission of application for obtaining stage-I approval under the aforementioned Act. Entire expenditure incurred by the Project Proponent on acquisition of such land also becomes infructuous, in case approval under the FC Act for diversion of forest land is rejected.

After careful examination of the matter, I am directed to say that in cases where land proposed to be utilised for CA is proposed to be acquired by the project proponent himself through outright purchase from the individual owners, at the time of submission of application for grant of Stage-I approval under the FC Act, uploading/submission of a copy of letter from each of present owners of the land identified for CA stating their willingness to sell the land to the user agency for its transfer and mutation in favour of the State Forest Department for creation of CA will only be sufficient. Similarly, in cases where the non-forest land or the revenue forest land proposed to be utilised for CA is to be provided by the State Government,

  
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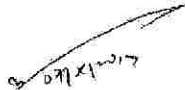
uploading/submission of a copy of the letter from concerned competent authority in the State Government stating that land identified for CA will be transferred and mutated in favour of the State Forest Department for creation of CA immediately on receipt of Sage-I approval under the FC Act for diversion of forest land required by the project proponent will be sufficient.

Yours faithfully,

  
(H.C. Chaudhary)  
Director

Copy to:-

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

  
(H.C. Chaudhary)  
Director