

Government of India  
Ministry of Environment, Forest and Climate Change  
(Forest Conservation Division)

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Indira Paryavaran Bhawan,  
Aliganj, Jorbagh Road,  
New Delhi - 110003  
Dated: 24th April, 2020

To

The Principal Secretary (Forests),  
All States Govt./Union Territories Administrations

**Sub: Approval of Annual Plan of Operations (APO) which includes activities of proposals where compensatory levies have been deposited after 'in principle' approval but 'Final approval' under the Forest (Conservation) Act, 1980 is pending - reg.**

Sir,

I am directed to refer to the State Government of Bihar's letter no. V.Bhu.Ap.Vividh 037/12/(Khand)- 739 dated 16.10.2019 on the above subject seeking clarification with regard to inclusion of activities into the Annual Plan of Operations (APOs) before Stage-II approval of the Central Government. In this connection, it is to inform that proposal was considered by the Forest Advisory Committee (FAC), in its meeting held on 27<sup>th</sup> February, 2020. The minutes of the meeting of the FAC may kindly be seen at <http://parivesh.nic.in/>.

FAC observed that though the justification of delayed Stage-II approval and consequential delayed implementation of mitigation measures appears to be sound on ecological consideration yet situation of allowing approval/implementation of activities as per APOs without Stage-II approval is more likely to result into a tendency of not obtaining 'final approval' under FCA-1980. This situation may further delay the process of obtaining Stage-II approval by the State Government ultimately resulting into the violation of the Forest (Conservation) Act, 1980. The Committee, accordingly, **recommended not to consider the request of the State Government** for inclusion of activities in APOs of those proposal where 'final approval' has not been accorded under FCA-1980.

The above recommendations of the FAC have been accepted by the competent authority in the Ministry and accordingly, I am directed to inform the State Governments/Union Territory Administrations to ensure that after obtaining Stage-I approval of the Central Government under the Forest (Conservation) Act, 1980, efforts should be made to ensure compliance of Stage-I approval and to obtain

Stage-II approval as soon as possible to avoid *fait accompli* situation and also to ensure timely implementation of provisions of APOs containing the mitigating measures in lieu of non-forestry use of forest land allowed by the Central Government.

This issued with the approval of the competent authority of the MoEF&CC.

Yours faithfully,

Sd/-

**(Brijendra Swaroop)**

Dy Inspector General of Forests

Copy to:-

1. The Principal Chief Conservator of Forests, All States/UTs Governments
2. The Dy Director General of Forests (Central), All Regional Offices of MoEF&CC
3. The Addl. PCCF & Nodal Officer (FCA), O/o the PCCF, All States/UT Governments
4. Monitoring Cell, FC Division, MoEF&CC, New Delhi.
5. Guard File.