

4

F. No. 11-423/2011-FC
Government of India
Ministry of Environment and Forests
(FC Division)

Paryavaran Bhawan,
CGO Complex, Lodhi Road,
New Delhi - 110 510.
Dated: 13th February, 2012

To

The Principal Secretary (Forests),
All States / Union Territory Governments except Jammu and Kashmir

Sub: Guidelines for diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980 -Non-availability of forest land for creation of compensatory afforestation.

Sir,

I am directed to say that para 3.2 (iv) and 3.2 (v) of the guidelines issued by this Ministry for implementation of the Forest (Conservation) Act, 1980 provide as below:

" 3.2 (iv) Where non-forest lands are not available or non-forest land is available in less extent to the forest area being diverted, compensatory afforestation may be carried out over degraded forest twice in extent to the area being diverted or to the difference between forest land being diverted and available non-forest land, as the case may be.

3.2 (v) The non-availability of suitable non-forest land for compensatory afforestation in the entire State/UT would be accepted by the Central Government only on the Certificate from the Chief Secretary to the State /UT Government to that effect."

To ensure that such certificates are issued after thorough scrutiny, it has been decided by this Ministry that the following may further be added in the said para 3.2 (v):

"Provided, no such certificate be issued by the Chief Secretary, unless he/she obtains joint certificates to this effect from each district collector and Division Forest Officer in respect of area under their jurisdiction. Provided further that in case it is found by the Central Government that after issue of any such certificate by the Chief Secretary, non-forest land has been made available for raising plantations of forestry and/ or commercial/ horticulture tree species by Government departments, the Central Government may issue direction to the State/UT Government concerned, to transfer and mutate such land in favour of the State/UT Forest Department and notify such non-forest land as Reserved Forest/ Protected Forest in accordance with the provisions of the Indian Forest Act, 1927 or the concerned local Act. Provided further that certificate of non-availability of non-forest land shall be accepted only from those States having area of forest land more than 50 % of their geographical area."

13/02/2012

This issues with approval of the competent authority.

Yours faithfully,

H.C. Chaudhary

(H.C. Chaudhary)

Assistant Inspector General of Forests

Copy to:-

1. Principal Chief Conservator of Forests, all State/UT Governments except Jammu and Kashmir.
2. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments except Jammu and Kashmir
3. All Regional Offices, Ministry of Environment & Forests.
4. All Assistant Inspector General of Forests in Forest Conservation Division, MoEF.
5. Director, Regional Office (Headquarters), Ministry of Environment & Forests, New Delhi.
6. Guard File.

H.C. Chaudhary

(H.C. Chaudhary)

Assistant Inspector General of Forests

*Issued
17/2/12*