

F.No.11-85/2008-FC
Government of India
Ministry of Environment & Forests
(F.C. Division)

Paryavaran Bhawan, C.G.O. Complex,
Lodi Road, New Delhi-110510.

Dated: 23rd October 2008

To
All Principal Secretary (Forests),
All States.

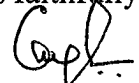
**Sub: Guidelines for Stabilization of Shifting Cultivation by Allowing Horticulture /
Tea Garden under the Forest Conservation Act, 1980.**

Sir,

I am directed to refer to various communications received from different State Governments on the subject cited above seeking prior approval of the Central Government for diversion of forest land for allowing cultivation of Tea / Oil Palm Plantation / Horticulture Garden etc. on such forest areas on which shifting cultivation is prevalent in North-Eastern States and other parts of the Country and to inform that the above issue was examined by the Forest Advisory Committee (FAC) on 23rd July 2008 in the light of 12.12.1996 order of Hon'ble Supreme Court and other relevant Acts / Rules / Guidelines on the subject.. The committee also noted that the shifting cultivation / Jhum land areas have come under the purview of the Forest (Conservation) Act, 1980 after the 12.12.1996 order of the Court and also the definition of forest is still under revision / consideration. After discussing the issue in detail, the FAC was of the opinion that States having any specific issues may approach the Hon'ble Supreme Court for further direction in this regard.

In view of the above, it is requested to kindly bring this to the knowledge of all concerned.

Yours faithfully,



(C.D. Singh)

Sr. Assistant Inspector General of Forests

Copy to:

1. The Principal Chief Conservator of Forests, All States.
2. The Nodal Officer, Forest Department, All States.
3. The Chief Conservator of Forests (Central), Regional Office, All Regions.
4. The User Agency.
5. Monitoring Cell
6. Guard File.



(C.D. Singh)

Sr. Assistant Inspector General of Forests