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F. No. 11-9/ 98-FC (pt.)  
Government of India  
Ministry of Environment & Forests  
(FC Division)

Paryavaran Bhawan,  
CGO Complex, Lodhi Road,  
New Delhi-110 003  
Dated: 15<sup>th</sup> January, 2014

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

Sub: Diversion of forest land for non-forest purposes under the Forest (Conservation) Act, 1980 - ensuring compliance of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

Sir,

I am directed to refer to this Ministry's letters of even number dated 5<sup>th</sup> July 2013 on the above-mentioned subject where-under this Ministry sent a copy of formats for submission of evidence for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, and to clarify further as below in respect of certificates required for linear projects (Form-I) and other than linear projects (Form-II).

- (i) Form-II for projects other than linear projects stipulates certificate from the district collector on six counts, including consent of gram sabha for the project, as provided in clause (b) (c) and (d) of the format. Whereas Form-I for linear projects stipulates certificates from the concerned district collector on only three counts which do not include consent from the gram sabha concerned for the linear project per se;
- (ii) The 'consent' stipulated in phrase "..... Gram Sabhas have given their consent to it..." appearing in clause (b) of Form-I for linear projects is for diversion of forest land for the facilities managed by Government in accordance with the provisions of section 3 (2) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006; and
- (iii) It is re-iterated that as mentioned by this Ministry in its letter of even number dated 5<sup>th</sup> February, 2013, after consultation and concurrence of the Ministry of Tribal Affairs, linear projects, except those involving recognised rights of Primitive Tribal Groups and Pre-Agricultural Communities, are exempted from requirement of obtaining consent for such projects from each concerned Gram Sabha.

Yours faithfully

15/01/2014  
(H.C. Chaudhary)

Assistant Inspector General of Forests

Copy To:

1. The Secretary, Ministry of Tribal Affairs, New Delhi.
2. Principal Chief Conservator of Forests, all State/UT Governments.
3. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments.
4. All Regional Offices, Ministry of Environment & Forests.

5. Joint Secretary in-charge, Impact Assessment Division, MoEF.
6. All Assistant Inspector General of Forests/ Directors in Forest Conservation Division, MoEF.
7. Director R.O. (HQ), Ministry of Environment & Forests, New Delhi.
8. Sr. Director (Technical), NIC, MoEF with a request to place a copy of the letter on website of this Ministry.
9. Guard File.

*m/1101/2017*  
(H.C. Chaudhary)  
Assistant Inspector General of Forests