

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: 7th October, 2014

To

1. All Members of the Forest Advisory Committee
2. The Addl. Principal Chief Conservator of Forests (Central)
All Regional Offices of the Ministry of Environment, Forests and Climate Change

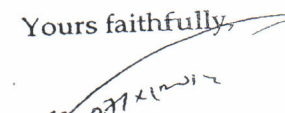
Sub: Guidelines for diversion of forest land for non-forest purpose under the Forest (Conservation) Act, 1980-Not to recommend conditions which are beyond the control of the user agency- reg.

Sir,

I am directed to say that it has been observed that in this Ministry on the basis of the recommendations made by the Forest Advisory Committee and the Regional Offices in some of the approval accorded under Forest (Conservation) Act, 1980 (FC Act) has stipulated condition which are beyond the control of the user agency. Compliance of such conditions being beyond the control of the user agency, in majority of such cases grant of final approval under the FC Act and actual handing over of the forest land to the user agency is delayed.

After careful examination of the matter, I am directed to say that to mitigate impact of diversion of forest land for non-forest purpose Forest Advisory Committee (FAC) and Regional Offices of the Ministry may not recommend such conditions which are beyond the control of the user agency. However, in case the FAC or Regional Offices of this Ministry are of the view that State Government or Union Territory Administration needs to formulate a policy or change an existing policy, in the interest of conservation and development of flora and fauna, they may advise this Ministry to issue appropriate advisory to the concerned State Government or the Union Territory Administration. Issue and compliance to such advisory however, may not be linked to grant of approval under the FC Act for diversion of forest land to a specific project.

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 in-charge, 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