

**F. No. 11-246/2014-FC**  
**Government of India**  
**Ministry of Environment, Forests and Climate Change**  
**(Forest Conservation Division)**

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Indira Paryavaran Bhawan,  
Aliganj, Jorbagh Road,  
New Delhi – 110001

Dated: 3<sup>rd</sup> November, 2017

To

**The Principal Secretary (Forests),**  
All State/ UTs

**Sub: General approval under Section - 2 of the Forest (Conservation) Act, 1980 for diversion of forest land required for creation of border security related infrastructure within 100 Km. distance of the LoC (Line of Actual Control) - reg.**

Sir,

I am directed to refer to this Ministry's guidelines vide F. No. 11-246/2014-FC dated 04.07.2014 and 29.01.2015 regarding general approval under Section 2(ii) of the Forest (Conservation) Act, 1980 for diversion of forest land for construction and widening of 2-lane roads by Border Road Organization (BRO), Indo Tibetan Border Police Force (ITBP) and other road construction agencies entrusted with the job by the Ministry of Defence in the area falling within 100 km. aerial distance from the Line of Actual Control (LoC) etc.

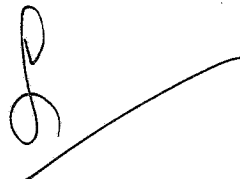
2. Now the Ministry of Road Transport & Highways has brought to the notice of this Ministry that a number of strategic projects in the border areas are being taken up by the National Highways Infrastructure Development Corporation Limited (NHIDCL) which are important for strengthening the infrastructure in border areas to enhance national security.

3. The matter has been examined in this Ministry and after careful consideration this Ministry has decided to extend the said general approval under Section 2 (ii) of Forest (Conservation) Act 1980 for diversion of forest land, if any, required for construction of similar roads by the NHIDCL within 100 Km. aerial distance from the Line of Actual Control for which funds are being provided by the Government of India through its different Ministries. This will be subject to the following conditions:

- (i) Legal Status of the forest land shall remain unchanged;
- (ii) This general approval shall be valid for the area located within 100 km. aerial distance from the Line of Actual Control (LoC) along Eastern and Western Borders only;



- (iii) The user agency shall submit the project proposal to the State Government in the prescribed i.e. Form – A as provided in Rules - 6 of the Forest (Conservation) Rules, 2003;
- (iv) State Government shall accord approval to the proposal duly recommended by Principal Chief Conservator of Forests;
- (v) Forest land proposed to be diverted shall be located outside the Protected Areas notified under the Wild Life (Protection) Act, 1972;
- (vi) User agency shall explore all feasible alternatives to minimize use of forest land. Forest land to be used for creation of border infrastructure shall be restricted to the bare minimum and shall be used only when it is unavoidable. The concerned Divisional Forest Officer shall certify to this effect;
- (vii) Nodal Officer, the Forest (Conservation) Act, 1980 shall submit monthly report to the concerned Regional Office by 5<sup>th</sup> of every month regularly regarding approval of such cases. In the event of failure, the exercise of power by the State Government to grant such permission may be suspended by the Central Government for a specified period of time till the information is submitted;
- (viii) State Government shall realize from the user agency funds for creation of compensatory afforestation over degraded forest land equal in extent to the area of forest land utilized for construction/ widening of the roads;
- (ix) User agency shall be responsible for any loss to the flora/ fauna in the surroundings and therefore, shall take all possible measures to conserve the same;
- (x) User Agency shall pay the Net Present Value (NPV) of the diverted forest land at the rates stipulated by this Ministry from time to time;
- (xi) Permission accorded by the State Government shall be subject to the monitoring by the concerned Regional Office of this Ministry;
- (xii) Forest land utilized for creation of the border infrastructure projects shall not be used for any purpose other than that specified in the approval accorded by the State Government. Any Change in the land use without prior permission of the Central Government shall amount to violation of the Forest (Conservation) Act, 1980. Request of such changes shall be made to this Ministry by the Nodal Officer (Forest Conservation) of the concerned State;
- (xiii) State Forest Department/ State Government or the concerned Regional Office of this Ministry may impose from time to time any other condition in the interest of conservation protection and/ or development of forests; and
- (xiv) **This general approval shall be valid till 31<sup>st</sup> December 2020.**



4. I am further directed to say that this approval will also be applicable in all the proposals presently under examination in the State Government and in this Ministry on the date of issue of this letter.

This issues with the approval of the Competent Authority.

Yours faithfully,

(Nisheet Saxena)

Sr. Asstt. Inspector General of Forests (FC)

Tel. No. 24695415

Copy to:-

1. Prime Minister's Office (Kind Attention : Shri Santosh D. Vaidya, Director)
2. Secretary, Ministry of Home Affairs, Government of India New Delhi.
3. Secretary, Ministry of Defence, Government of India, New Delhi.
4. Secretary, Ministry of Road Transport and Highways, Government of India.
5. The Secretary (Coordination), Cabinet Secretariat, Rashtrapati Bhawan, Delhi.
6. The Member-Secretary, Planning Commission, Government of India, New Delhi.
7. Director General, Border Roads Organization, New Delhi.
8. Principal Chief Conservator of Forests, all States/ UTs.
9. Nodal Officer, the Forest (Conservation) Act, 1980, all States/ UTs.
10. All Regional Offices, Ministry of Environment, Forests and Climate Change (MoEF&CC), Government of India (GoI).
11. Joint Secretary In-charge, Impact Assessment Division, MoEF&CC, GoI.
12. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEF&CC, GoI.
13. Director, Regional Offices Headquarters Division, MoEF&CC, GoI.
14. Sr. Director (Technical), NIC, MoEF&CC, GoI - with a request to place a copy of this letter on website of this Ministry.
15. PPS to the Secretary, Ministry of Environment, Forest and Climate Change, GoI.
16. PPS to the Director General of Forests & Special Secretary, MoEF&CC.
17. PPS to the Addl. Director General of Forests (Forest Conservation), MoEF&CC.
18. PPS to the Inspector General of Forests (Forest Conservation), MoEF&CC.
19. Guard File.

(Nisheet Saxena)

Sr. Asstt. Inspector General of Forests (FC)

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3.11.2012