

F.No. 11-47/2006-FC  
Government of India  
Ministry of Environment and Forests  
(F.C. Division)

Paryavaran Bhawan.  
CGO Complex, Lodhi Road,  
New Delhi - 110003.  
Dated: 06<sup>th</sup> October 2006.

To

1. Principal Secretary/Secretary (Forests),  
All State/Union Territory Governments.
2. Principal Chief Conservator of Forests,  
All States/Union Territories.

**Sub: Guidelines for preparation of projects to obtain prior approval of the Central Government under the Forest (Conservation) Act, 1980 for diversion of forest land for construction of roads passing through a number of Divisions / Districts / States.**

Sir,

The Ministry has been receiving references in respect of practical difficulties being faced at the State level for preparation of projects to obtain prior approval of the Central Government under the Forest (Conservation) Act, 1980 for diversion of forest land for construction of roads passing through a number of Divisions / Districts / States. The existing guidelines in this regard under the Forest (Conservation) Act, 1980 have been recently revisited in consultation with various stakeholders (National Highways Authority of India / State Governments), and on the basis of the recommendations of the Forest Advisory Committee constituted under Section-3 of the said Act, following revised guidelines are hereby issued by the Central Government:

1. All completed proposals of Sub-Projects (of NHAI) shall be submitted to the Ministry of Environment and Forests (MoEF) or its Regional Offices, as the case may be, for obtaining forestry clearance in the form of single consolidated proposal. Basic unit of project proposal for diversion of forest land for construction of road shall be the Sub-Project for consideration under the provisions of Forest (Conservation) Act, 1980.
2. Entire forest land involved in all such Sub-Projects shall be considered in the consolidated proposal for diversion by the Central Government.
3. Each consolidated proposal for forestry clearance shall be essentially accompanied by a detailed Route Map of roads intended to be upgraded / renovated / reconstructed / realigned in the entire State, and also in the adjoining States (wherever possible). The Route Map shall be depicted on a Survey of India toposheet of 1:50,000 scale, or in case of non-availability of Survey of India toposheet, on a detailed map of suitable scale. This map should be

essentially superimposed (preferably using GIS technology) on forest cover map of the area, showing clearly the road route through different categories of forest areas, e.g., Reserved Forest / Protected Forest / Deemed Forest / National Parks / Sanctuaries / other wildlife areas etc. The sub category (i.e., natural forest, plantation etc.), density, species etc. of the forest areas should be clearly indicated on the map.

4. An undertaking shall be furnished by the User Agency alongwith each Sub-Project to the effect that in case of the road, or part thereof, passing through any National Park/Sanctuary, prior permission of the National Board for Wildlife (NBWL) and Hon'ble Supreme Court shall be obtained before posing the proposal for clearance under the Forest (Conservation) Act, 1980, and that in case the Hon'ble Supreme Court, in its order, directs the User Agency to avoid use of forest land in a particular National Park / Sanctuary, the User Agency shall forthwith comply with the Court's directions by immediately effecting the change in alignment of the proposed road to detour the National Park / Sanctuary. The User Agency shall also give an undertaking that forestry clearance of other stretches of the same or other Sub-Projects shall not be cited as reason for clearance of any particular stretch in future.

Para 2.2 (iii) of the guidelines issued by the Ministry of Environment and Forests under the Forest (Conservation) Act, 1980 stand modified to the above extent.


This issues with the approval of the Competent Authority.

Yours faithfully.

  
(Sandeep Kumar)  
Assistant Inspector General of Forests

Copy to:

1. Nodal Officers (FC), O/o the PCCF, All States/Union Territories.
2. Chairman, National Highways Authorities of India (Ministry of Shipping, Road Transport and Highways), G-5 & 6, Sector-10, Dwarka, New Delhi -- 110 075.
3. All Regional Offices of Ministry of Environment and Forests.
4. RO (HQ), MoEF, New Delhi.
5. Monitoring Cell, FC Division, MoEF, New Delhi.
6. Guard File.

  
(Sandeep Kumar)  
Assistant Inspector General of Forests