



**DIRECTORATE OF MINES & GEOLOGY
STEEL AND MINES DEPARTMENT, GOVT. OF ODISHA,
BHUBANESWAR**

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DGO-ACCT-MISC-0019-2023-12227/DoMG

Dt. 04-10-2023

From

G. Rajesh, IFS
Director of Mines & Geology,
Odisha, Bhubaneswar,

To

**The Principal Chief Conservator of Forest,
Forest Diversion & Nodal Officer, F.C. Act.**

Sub- Diversion of 23.80 ha of forest land (as per sabik records as on 25.10.1980) including 2.240ha of forest land in safety zone area for chromite ore mining from Kalarangiatta Chromite Mines by M/s. Ferro Alloys Corporation Ltd. FACOR in Cuttack Forest Division coming under Jurisdiction of Sukinda Tahasil of Jajpur District, Odisha.

Sir,

In inviting reference to your letter No. 8711/9F(MG)-368/2016 dated 06.05.2023 on the subject mentioned above, enclosing herewith a copy of Govt. letter, No-8804/SM Dt.29.08.2023 received from Steel & Mines Deptt., for quick reference. As we are given to understand that The Forest (Conservation) Amendment Act, 2023 has come into force w.e.f. from 04.08.2023, wherein a new section 1A has been introduced specifying the categories of forest land to be covered under the provision of the Act and the proviso to Section 1A(b) prescribes the following.

"Provided that the provision of this clause shall not apply to such land, which has been changed from forest use to use for non-forest purpose on or before the 12th December, 1996 in pursuance of an order, issued by any authority authorised by as State Government or an Union Territory administration in that behalf".

In this backdrop, Steel & Mines Department has therefore, requested your good office to examine the applicability of Forest (Conservation) Amendment Act, 2023 and take necessarily follow up action in this case.

Encl.: - As above

Yours faithfully,

DIRECTOR OF MINES & GEOLOGY, ODISHA



Government of Odisha
Department of Steel and Mines

No. 8804 /SM. Bhubaneswar, Dtd. 29.08.2023
SM-MC1-RML-0034-2023

From

Sri S. K. Mohanty,
Deputy Secretary to Government.

To

The Director of Mines and Geology.
Odisha, Bhubaneswar.

Sub: Diversion of 23.80 ha. Of forest land(as per sabik records as on 25.10.1980) including 2.240 ha. of forest land in safety zone area for chromite ore mining from Kalarangitta Chromite mines of M/s FACOR Ltd in Cuttack Forest division coming under jurisdiction of Sukinda Tahsil of Jajpur district.

Ref: Your letter No.7529/ DoMG dated 01.06.2023.

Sir,

I am directed to invite a reference to the letter and subject cited above and to say that in the meantime the Forest (Conservation) Amendment Act'2023, has come into force with effect from 04.08.2023, where in a new section 1A has been introduced specifying the categories of forest land to be covered under the provision of this Act and the proviso to Section 1A(b) prescribes the following.

"Provided that the provision of this clause shall not apply to such land, which has been changed from forest use to use for non-forest purpose on or before the 12th December, 1996 in pursuance of an order, issued by any authority authorised by a State Government or an Union Territory Administration in that behalf."

It is therefore requested to kindly intimate the PCCF, Forest Diversion & Nodal Officer to examine the applicability of Forest (Conservation) Amendment Act'2023 and take necessary action in the matter.

Yours faithfully,


29-08-2023
Deputy Secretary to Government





भारत का राजपत्र The Gazette of India

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असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 18] नई दिल्ली, शुक्रवार, अगस्त 4, 2023/श्रावण 13, 1945 (शक)
No. 18] NEW DELHI, FRIDAY, AUGUST 4, 2023/SRAVANA 13, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 4th August, 2023/Sravana 13, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 4th August, 2023 and is hereby published for general information:—

THE FOREST (CONSERVATION) AMENDMENT ACT, 2023 (No. 15 OF 2023)

[4th August, 2023]

An Act further to amend the Forest (Conservation) Act, 1980.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Forest (Conservation) Amendment Act, 2023.

Short title and
commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

69 of 1980.

2. In the Forest (Conservation) Act, 1980 (hereinafter referred to as the principal Act), after the long title and before the enacting formula, the following preamble shall be inserted, namely:—

Insertion of
preamble.

"WHEREAS, the importance of forests is to be realised to enable achievement of national targets of Net Zero Emission by 2070 and maintain or enhance the forest carbon stocks through ecologically balanced sustainable development;

AND WHEREAS, Nationality Determined Contribution targets of the country envisage creating carbon sink of additional 2.5 to 3.0 billion tons of CO₂ equivalent by 2030;

AND WHEREAS, the country envisages an increase in the forest and tree cover to one-third of its land area, which is to be given impetus with an enhanced growth trajectory;

AND WHEREAS, India has a rich tradition of preserving forests and their bio-diversity, and, therefore, enhancing forest based economic, social and environmental benefits, including improvement of livelihoods for forest dependent communities is envisaged;

AND WHEREAS, it is necessary to provide for provisions relating to conservation management and restoration of forests, maintaining ecological security, sustaining cultural and traditional values of forests and facilitating economic needs and carbon neutrality."

Amendment
of section 1.

3. In section 1 of the principal Act, in sub-section (1), for the words and brackets "Forest (Conservation) Act", the words and brackets "*Van (Sanrakshan Evam Samvardhan) Adhiniyam*" shall be substituted.

Insertion of
new section 1A.

4. After section 1 of the principal Act, the following section shall be inserted, namely:—

Act to cover
certain land.

‘1A. (1) The following land shall be covered under the provisions of this Act, namely:—

(a) the land that has been declared or notified as a forest in accordance with the provisions of the Indian Forest Act, 1927 or under any other law for the time being in force;

(b) the land that is not covered under clause (a), but has been recorded in Government record as forest, as on or after the 25th October, 1980:

Provided that the provisions of this clause shall not apply to such land, which has been changed from forest use to use for non-forest purpose on or before the 12th December, 1996 in pursuance of an order, issued by any authority authorised by a State Government or an Union territory Administration in that behalf.

Explanation.—For the purposes of this sub-section, the expression "Government record" means record held by Revenue Department or Forest Department of the State Government or Union territory Administration, or any authority, local body, community or council recognised by the State Government or Union territory Administration.

(2) The following categories of land shall not be covered under the provisions of this Act, namely:—

(a) such forest land situated alongside a rail line or a public road maintained by the Government, which provides access to a habitation, or to a rail, and roadside amenity up to a maximum size of 0.10 hectare in each case;

(b) such tree, tree plantation or reforestation raised on lands that are not specified in clause (a) or clause (b) of sub-section (1); and

(c) such forest land,—

(i) as is situated within a distance of one hundred kilometres along international borders or Line of Control or Line of Actual Control, as the

case may be, proposed to be used for construction of strategic linear project of national importance and concerning national security; or

(ii) up to ten hectares, proposed to be used for construction of security related infrastructure; or

(iii) as is proposed to be used for construction of defence related project or a camp for paramilitary forces or public utility projects, as may be specified by the Central Government, the extent of which does not exceed five hectares in a Left Wing Extremism affected area as may be notified by the Central Government.

(3) The exemption provided under sub-section (2) shall be subject to such terms and conditions, including the conditions of planting trees to compensate felling of trees undertaken on the lands, as the Central Government may, by guidelines, specify.'.

5. In the principal Act, section 2 shall be renumbered as sub-section (1) thereof and— Amendment of section 2.

(a) in sub-section (1) as so renumbered,—

(I) in clause (iii), for the words "not owned, managed or controlled by Government", the words ", subject to such terms and conditions, as the Central Government may, by order, specify" shall be substituted;

(II) in the *Explanation*, for the long line occurring after clause (b), the following shall be substituted, namely:—

"but does not include any work relating to or ancillary to conservation, development and management of forests and wildlife, such as—

(i) silvicultural operations including regeneration operations;

(ii) establishment of check-posts and infrastructure for the front line forest staff;

(iii) establishment and maintenance of fire lines;

(iv) wireless communications;

(v) construction of fencing, boundary marks or pillars, bridges and culverts, check dams, waterholes, trenches and pipelines;

(vi) establishment of zoo and safaris referred to in the Wild Life (Protection) Act, 1972, owned by the Government or any authority, in forest areas other than protected areas;

(vii) eco-tourism facilities included in the Forest Working Plan or Wildlife Management Plan or Tiger Conservation Plan or Working Scheme of that area; and

(viii) any other like purposes, which the Central Government may, by order, specify.";

(b) after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

"(2) The Central Government may, by order, specify the terms and conditions subject to which any survey, such as, reconnaissance, prospecting, investigation or exploration including seismic survey, shall not be treated as non-forest purpose.".

Insertion of
new section 3C. namely:—

6. In the principal Act, after section 3B, the following section shall be inserted,

Power of
Central
Government
to issue
directions.

"3C. The Central Government may, from time to time, issue such directions, to any authority under the Central Government, State Government or Union territory Administration, or to any organisation, entity or body recognised by the Central Government, State Government or Union territory Administration, as may be necessary for the implementation of this Act."

DR. REETA VASISHTA,
Secretary to the Govt. of India.