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साउथईस्टर्नकोयलील्डसलिमिटेड

SOUTH EASTERN COAL FIELDS LIMITED

एक मिनीरत्नकंपनी-A MINIRATNA COMPANY

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कण्डिका क्र. 34

वन अधिकार मान्यता पत्र वितरण की सूची एवं कलेक्टर का अनापत्ति प्रमाण पत्र (यदि निरंक हो तो भी प्रमाणित होगा) (भारत सरकार, पर्यावरण एवं वन मंत्रालय, नई दिल्ली का पत्र क्रमांक / F.No.11-9/1998-FC दिनांक 03.08.2009)।

वन संरक्षण अधिनियम 1980 के अंतर्गत वन भूमि प्रत्यावर्तन के प्रस्तावों हेतु आवश्यक चेक लिस्ट का उपरोक्त कण्डिकाओं के परिचालन में यह है कि खसरा क्रमांक 410 रकबा 55.850 हे. भूमि जो कि शासकीय भूमि मद में दर्ज है, को Deemed Forest मान कर कलेक्टर रायगढ़ से वन अनापत्ति तथा Form - II हेतु आवेदित है, जो प्राप्त होने पर Stage - I अनापत्ति शर्तों का परिपालन के समय प्रस्तुत किया जाएगा। साथ ही वन अनापत्ति के संबंध में वर्तमान में कलेक्टर रायगढ़ की ओर से प्राप्त पत्र एतद्वारा संलग्न है।

उप महाप्रबंधक(खनन)/उपक्षेत्रीय प्रबंधक

एसईसीएल छाल उपक्षेत्र

Dy.G.M.(M)/Sub Area Manager

Chhal Sub Area, SECL

Raigarh Area

Government of India
Ministry of Environment, Forest and Climate Change
(FC Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi-110003

Dated: *28th February*
January, 2019

To,
The Principal Secretary/Secretary (Forests)
All States/UTs Governments

**Sub: Compliance of the Schedule Tribes and Other Traditional Forest Dwellers
(Recognition of Forest Rights) Act, 2006-regarding**

Sir,

I am directed to refer to Forest (Conservation) amendment Rules 2016 as amended on 06th March, 2017 wherein inter-alia it has been provided that:

(e) *the District Collector shall*

(i) complete the process of recognition and vesting of forest rights in accordance with the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2007) for the entire forest land indicated in the proposal.

(ii) obtain consent of each Gram Sabha having jurisdiction over the whole or a part of the forest land indicated in the proposal for the diversion of such forest land and compensatory and ameliorative measures, if any, having understood the purposes and details of diversion, wherever required; and

(iii) forward his findings in this regard to the Conservator of Forests

(f) the entire process referred to in clause (e) shall be completed by the District Collector within the time period stipulated in these rules for grant of in-principle approval under the Act to the proposal.

(g) the Conservator of Forests shall examine the factual details and feasibility of the proposal, carry out site inspection in case the area of forest land proposed to be diverted is more than forty hectares, and forward the proposal along with his recommendations to the Nodal Office.

I am also directed to refer to references/communications received from various State Governments seeking clarification on whether FRA certificate is to be submitted before Stage-II compliance or it has been submitted along-with proposal for seeking Stage-I approval.

It is clarified that within the time period stipulated for compliance of stage-I

condition, Deputy Commissioner shall complete the process of compliance of FRA (including forwarding its findings to the concerned CF). Hence for the purpose of the MoEF&CC, as per the provision under Forest (Conservation) amendment rules, 2016 the compliance under FRA is not required for consideration of in-principle approval. This has to be furnished by the state Govt. for consideration of the proposal by the ministry for final approval.

In view of the above, the State Governments are requested to adhere the provisions contained in Forest (Conservation) Amendment Rules, 2016 for FRA purpose while forwarding the proposal for seeking prior approval under Section 2 of Forest(Conservation) Act,1980 to this Ministry for consideration.

Yours faithfully,

(Shrawan Kumar Verma)
Dy. Inspector General of Forests

Copy to:

1. Prime Minister's Office
2. Secretary, Ministry of Mines, Government of India
3. Secretary, Ministry of Coal, Government of India
4. Secretary, Ministry of Petroleum and Natural Gas, Government of India
5. Principal Chief Conservator of Forests, all State/UT Governments
6. Nodal Officer, the Forest (Conservation) Act, 1980, all State/ UT Governments
7. All Regional Offices, Ministry of Environment, Forest and Climate Change (MoEF&CC), GoI.
8. Joint Secretary in-charge, Impact Assessment Division, MoEF&CC, GoI
9. All Assistant Inspector General of Forests/ Directors in the Forest Conservation Division, MoEF&CC, GoI/Director, ROHQ, MoEF&CC, GoI/TO(FC)/TO(RoHQ).
10. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the letter on website of this Ministry.
11. Sr. PPS to the Secretary, MoEF&CC
12. Sr. PPS to the Director General of Forest & Special Secretary, MoEF&CC, GoI
13. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEF&CC, GoI.

Yours faithfully,

(Shrawan Kumar Verma)
Dy. Inspector General of Forests

O/C

13/3/19