

CHAPTER-2

Submission of Proposals

2.1 General

- (i) Rule 6 of the Forest (Conservation) Rules, 2003 prescribes the procedure for submission of proposals for seeking prior approval of the Central Government under Section 2 of the Act. The form appended to the Rules, specifies the particulars to be furnished with the proposal. Only proposal in the prescribed format, and complete in all respects, will be considered. The user agency, if they so desire, for monitoring purpose only, may submit the proposal along with a copy of the receipt from Nodal Officer of having received complete application to the Assistant Inspector General of Forests (FC)/Director incharge of the Monitoring cell.
- (ii) **All proposals relating to diversion of forest land up to 40 hectares and proposals for clearing of naturally grown trees for reforestation shall be sent directly to the concerned Regional Office of the MOEF by the State/UT government or other authority.** All other proposals shall be sent by the State/UT Government or other authority to the Secretary to the Government of India, MOEF mentioning "Attention - FC Division" on covering letter as well as on envelope. **Moreover a copy of all these proposals irrespective of area should also be sent to concerned Regional Office of the MOEF.**

For small development and public utility projects involving **diversion of forest land upto 5 hectare**, the State government may authorize the Nodal Officer or any other Officer to submit the proposals directly to the Regional Offices.
- (iii) Adverse recommendations of subordinate officers in prescribed form or in the documents attached with the form should invariably be commented upon by the Principal Chief Conservator of Forests/Chief Conservator of Forests. Similarly, adverse recommendation by the PCCF/CCF should be commented upon by the State Government to emphasize that a conscious decision has been taken in the matter.
- (iv) **Wherever re-diversion of forest land becomes essential, State Government should seek the prior permission of the Central Government giving details of the earlier approval and the proposed activity details in letter form rather than initiating a fresh proposal.**
- (v) In cases of irrigation projects or projects involving linear diversion of forest land, when during execution, **some realignment is needed due to technical reasons and where the re-alignment is of a minor nature**, i.e. deviation from the original alignment is at a few points and the number of trees to be cut does not exceed the number given in the original proposal, the State Government need not submit a fresh proposal. Rather, they may send this information through a covering letter giving maps of the original alignment and fresh alignment with details of the additional forest land required and the variation in the number of trees which will be affected due to the realignment.
- (vi) **The State Governments are advised not to consider/process cases, which are pending in various Courts or are sub-judice, to avoid all sorts of administrative and legal complications.**