

**Ruthren P., IFS**

Deputy Conservator of Forests  
Kudremukh Wildlife Division,  
Karkala. Udupi Dist – 574104.  
Karnataka State.



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Email : defwlkarkala@gmail.com

**Forest Department**

**No.A3/CR//2020-21**

**dated: 03.06.2020**

To,

The Executive Engineer,  
Karnataka Rural Infrastructure Development Ltd.,  
Jyothi Ngar Post, Near Zilla Panchayath Office,  
K.M. Road, Chikamagaluru – 577 102.

Sir,

**Sub:** Diversion of 0.31 hectare of forest land in Sy.No.33,49 &&55 of Markal village and Sy.No.139 &146 of Yadehalli village, Kigga Hobli, Sringeri Taluk, Chikkamangaluru District (Kundapur Division) for laying Underground Gravity Drinking Water Supply Pipeline (2.58inch thickness) from Kithlemane Kodige, Hulugarbailu to Kigga in favour of the Executive Engineer, Karnataka Rural Infrastructure Development Ltd., Chikkamagaluru – reg.

**Proposal No.FP/KA/WATER/35135/2018**

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Your online application received on 12-02-2020 has been examined. It is noticed that certain crucial information required for processing under FC Act has not been provided completely and correctly in spite of online communication by this office. The application is IN COMPLETE in following respect.

Reference Item No. in Form-A	Explanation
A-1 (viii) Area of forest land proposed for diversion (in ha.)	During inspection, the Assistant Executive Engineer present explained that trench needs to be excavated and 2.58 inch pipeline will be laid in the trench for execution of this project. In such case diversion of 1mtr of width for a length of 1672mtrs land as proposed by User agency may not be required. The bare minimum required land shall be considered for diversion. i.e such an extent of land limited by the minimum trench width required for the laying of pipeline.
Compensatory afforestation and NPV details	Compensatory afforestation and NPV details are not submitted/uploaded in the portal.(See the CA and NPV guidelines attached herewith)



Reference Item No. in Form-A	Explanation
Compliance report by concerned District collector	With regard to compliance of Recognition of Forest Rights (ROFR) Act 2006, the User Agency has not furnished copy of Requisite Certificate as per the guidelines issued by Ministry of Environment and Forest, New Delhi
C-(iv) Scanned copy of the Geo-referenced map of the forest land proposed to be diverted prepared by using GPS or Total Station	The Geo-referenced map upload in the portal is <b>INCORRECT</b> . Upload the Geo-referenced map of the respective village showing the boundary of forest land and the proposed project.

It is requested to provide above information/documents online at the earliest for further processing of the proposal.

(Ruthren P. IFS)

Deputy Conservator of Forests  
Kudremukh Wildlife Division  
Karkala

Reference Item No. in Form-A	Explanation
A-1 (vii) Area of forest land proposed for diversion (in ha.)	During inspection, the Assistant Executive Engineer present explained that trench needs to be excavated and 2.28 inch pipeline will be laid in the trench for execution of this project. In such case diversion of 1mtr of width for a length of 1072mtr land as proposed by User agency may not be required. The bare minimum required land shall be considered for diversion. For such an extent of land limited by the minimum trench width required for the laying of pipeline.
Compensatory afforestation and NPV details	Compensatory afforestation and NPV details are not submitted/uploaded in the portal (See the CA and NPV guidelines attached herewith)



F. No. 5-2/2017- FC  
Government of India  
Ministry of Environment, forests and Climate Change  
(FC Division)

Indira Paryavaran Bhawan,  
Aliganj, Jor Bag Road,  
New Delhi - 110003.

Dated: 28<sup>th</sup> March, 2019

To,  
The Principal Secretary/Secretary (Forests),  
All State/UT Governments.

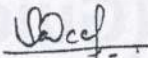
Sub: **Handbook of guidelines for effective and transparent implementation of the provisions of Forest (Conservation) Act, 1980.**

Sir,

In supersession of all guidelines issued in the past, a handbook of guidelines is issued for effective and transparent implementation of the provisions of Forest (Conservation) Act, 1980. All the provisions enshrined in these guidelines will be applicable from 8<sup>th</sup> March 2019 onwards. The copy of comprehensive guidelines is available on Ministry's website: [www.parivesh.nic.in](http://www.parivesh.nic.in).

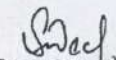
This issue with the approval of competent authority.

Yours faithfully,

  
(Sandeep Sharma)  
Assistant Inspector General of Forest (FC)

Copy to:

1. Prime Minister's Office, New Delhi.
2. Secretary, Ministry of Mines/Coal/Steel/MoRTH/MoPNG/MHA/MoP/MoTA, Government of India, New Delhi.
3. Principal Chief Conservator of Forests, all State/UT Governments.
4. Nodal Officer (FCA), all State/ UT Governments.
5. All Regional Offices, Ministry of Environment, Forest and Climate Change (MoEF&CC), GoI, New Delhi.
6. Joint Secretary in-charge, Impact Assessment Division, MoEF&CC, GoI, New Delhi.
7. All IGF/ DIGF/AIGF in MoEF&CC, GoI, New Delhi.
8. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the letter on website of this Ministry.
9. PPS to Secretary (EF&CC)/DGF&SS/ADGF(FC)/ADGF(Wildlife), MoEF&CC, New Delhi.
10. Guard File.

  
(Sandeep Sharma)  
Assistant Inspector General of Forest (FC)

o/c 11/19

**Handbook of**

**Forest (Conservation) Act, 1980**

**and**

**Forest Conservation Rules, 2003**

**(Guidelines & Clarifications)**



**Ministry of Environment, Forest and Climate Change**

**Government of India**

**2019**



## **2. Compensatory Afforestation**

**2.1** Compensatory afforestation (CA) is one of the most important requirement/condition for prior approval of the Central Government for diversion of forest land for non-forest purposes and the purpose of compensatory afforestation (CA) is to compensate the loss of 'land by land' and loss of 'trees by trees'.

**2.2** Any proposal submitted by the State/UT Government seeking prior approval of Central Government under the FCA shall have a comprehensive scheme for compensatory afforestation, duly approved by the competent authority of the concerned State/UT administration.

### **2.3 Land for CA:**

- (i) Normally, CA is to be raised on suitable non-forest land, equivalent to the area proposed for diversion, at the cost to be paid by User Agency.
- (ii) As far as possible, the non-forest land for CA is to be identified contiguous to or in the proximity of a Reserve/Protected Forest to enable the Forest Department to effectively manage the newly planted area.
- (iii) Where non-forest land is available but lesser in extent to the forest area being diverted, CA could be carried out over degraded forest twice in extent of the area being diverted or the difference between the forest land being diverted and the available non-forest land, as the case may be. The non-availability of suitable non-forest land for CA in the State / Union Territory would be accepted by the Central Government only on the basis of a Certificate of the Chief Secretary of the State/Union Territory Government to that effect in respect of States/UTs having forest area more than 33% of the geographical area in the prescribed format
- (iv) In case, non-forest land for CA is not available in the same district, it should be identified anywhere else in the concerned/State/Union Territory near to the site of diversion as far as possible, so as to minimize adverse impact on the micro-ecology of the area.
- (v) In exceptional cases where non-forest land for CA is not available in the same State/UT in which the diversion of forest land is proposed, land for CA can be identified in any other State/UTs, preferably in neighboring State/UTs. The corresponding amount for carrying out CA shall be deposited in the CAMPA account of the State/UT in which CA is proposed.
- (vi) In cases where non-forest land for CA is to be acquired by the User Agency through outright purchase from the individual owners, uploading/ submission of copy of letter from each of present owners of the land stating their willingness to sell the land to the user agency for creation, at the time of submission of application for grant of Stage-I approval under the FC Act, will be sufficient for consideration for grant of Stage-I approval for diversion of forestland required by the User Agency. Similarly, in cases where the non-forest land or the revenue forest land for CA is to be provided by the State Government, uploading/submission of a copy of the letter from concerned competent authority



in the State Government stating that land identified for CA will be transferred and mutated in favour of the State Forest Department for creation of CA immediately on receipt of Stage-I approval under the FC Act for diversion of forest land required by the user agency, will be sufficient.

#### **2.4. Clarification:**

(i) As a matter of pragmatism, the revenue lands/zudpi jungle/chhote/bade jharka jungle/jungle-jhari land/civil-soyam/orange lands and all other such categories of forest lands not under management and/or administrative control of the State/UT Forest Department, on which the provisions of FC Act, 1980 are applicable, shall be considered for the purpose of compensatory afforestation. Such lands on which compensatory afforestation is proposed shall be provided double in extent to the area proposed for diversion and shall be transferred and mutated in the name of State Forest Department. It shall be notified as Reserve Forest (RF)/Protected Forests (PF) under the Indian Forest Act, 1927 prior to Stage-II approval.

(ii) In Arunachal Pradesh, Degraded Unclassed Forests (USF) shall be considered for CA provided such land proposed for CA shall be double the extent of area proposed for diversion. Such land shall be transferred and mutated in the name of State Forest Department and notified as RF/PF, under IFA 1927 or Assam Forest Regulation 1891 or Anchal Forest Reserve/Village Forest Reserve under the Arunachal Pradesh Forest Reserve/Village Forest Reserve (Consolidation and Maintenance) Act 1975 as amended from time to time, prior to Stage-II approval.

(iii) Waste lands of Himachal Pradesh, which come under the category of Protected Forests but have neither been demarcated on the ground nor transferred & mutated in the name of forest department in the revenue records, shall be considered for the purpose of CA provided that double the area of such category is covered under CA and is declared as RF/PF under IFA, 1927 after mutation in the name of SFD prior to Stage-II approval. This dispensation shall be applicable for the Central, State and Private sector projects.

(iv) Provisions of CA will be applicable for renewal of a mining lease, including the area broken up prior to 25.10.1980, if the same was not applied earlier.

(v) Any non-forest land for the purpose of Compensatory afforestation (CA), selected by the State Government, in lieu of forest land to be diverted may be accepted by MoEF&CC irrespective of crown density. All such lands shall be mutated in favour of State forest department and declared as protected forest prior to stage I approval.

(vi) State government shall prepare a CA scheme with 1000 plants per ha for all such non-forest lands. In case it is not possible to raise plantation at the rate of 1000 plants per ha on the selected non-forest land, then the balance plants shall be planted on degraded forest land as per working plan prescriptions. All forest lands which have crown density below 40 percent should only be treated as degraded forest land for the purpose of CA.

(vii) Any degraded forest land for the purpose of CA, selected by State Government may be accepted by MoEF&CC only if the crown density of the area is below 40 percent.



(viii) In case of bifurcation of States, during processing of proposals seeking prior approval of Central Government under the Forest (Conservation) Act, 1980, if the land identified for creation of CA is within the undivided State, and the forest land proposed to be diverted does not fall in the same newly created State, proposals shall continue to be processed without insisting on identification of non-forest land for creation of compensatory afforestation in the State in which the forest land proposed to be diverted is located. In such cases, if Central Government agrees In-principle for diversion of forest land for non-forest purpose, it shall be subject to a condition that amounts realized from the user agency for creation and maintenance of compensatory afforestation shall be transferred from the State with which the money has been deposited to the State in which the land identified for creation of compensatory afforestation is located. In case for some valid and cogent reason, cost of creation and maintenance of compensatory afforestation needs to be revised, additional amount, if any, will be realized from the concerned user agency and transferred to the State where CA is proposed. All other levies realized from the user agency in lieu of diversion of such forest land will however be retained in the State in which the forest land proposed to be diverted is located.

(ix) Non-forest land, not coming under the purview of FC Act, 1980 reclaimed by any user agency by planting native species of a minimum of 1000 trees per hectare and of minimum 10 cm diameter at breast height can be considered as CA in lieu of forest land to be diverted, without levying planting cost. The ownership of the non-forest land identified for the purpose of CA is to be transferred and mutated in favour of the State/UT Forest Department and declared as RF/PF under the Indian Forest Act, 1927 or State Forest Act / Rules / Regulations, before the Stage II approval.

#### **2.5 Special provisions for CA for certain categories of projects:**

- (i) CA shall be raised and maintained at the cost of the user agency on degraded forest land twice in extent of the forest area diverted in the cases of:
  - a. Laying of transmission lines;
  - b. Laying of telephone/optical fibre lines;
  - c. Mulberry plantation undertaken for silkworm rearing,
  - d. Diversion of linear or 'strip' plantations declared as protected forest along road/ rail/canal sides for widening or expansion of road/rail/canal,
  - e. Extraction of minor materials from the river beds,
  - f. The projects implemented by the Central Government/PSUs, excluding Central Govt./Central PSUs Projects implemented by/through State Government and State Sector Projects implemented by the Central Government/PSUs
  - g. Construction of link roads, small water works, minor irrigation works, school building, dispensaries, hospital, tiny rural industrial sheds of the Government or any other similar work excluding mining and encroachment cases, which directly benefit the people of the area in hill districts and in other districts having forest area exceeding 50% of the total geographical area, provided diversion of forest area does not exceed 20 hectares.



- h. For construction of small hydro-electric project (up to 25 MW) duly approved by the competent authority in the Government which would directly benefit the people of the area, i.e. in hill districts of the country having forest area exceeding 50% of the total geographical area, provided diversion of the forest land doesn't exceed five (5) hectares
- (ii) For extraction of minor minerals from the river beds, if forest area to be diverted is above 500 hectares, CA over equivalent area of degraded forest shall be required to be done instead of twice the area being diverted, subject to a minimum of 1000 plants/hectare for compensatory afforestation.
- (iii) CA shall be raised and maintained over an equivalent area proposed for diversion in a degraded forest in RFs or such other forest land which are already under administrative control of the State Forest Department at the cost of the user agency in cases of Strategic Defence projects including infra-structure and road projects undertaken by the BRO or falling within 100 km aerial distance from the Line of Actual Control (LAC) along Indo-China border and undertaken by any user agency identified by the Ministry of Defence.
- (iv) CA shall be raised over equivalent degraded forest land of the forest area being diverted for actual impact zone of the Field Firing Range (FFR). If diversion of forest land for Field Firing Ranges for actual impact area, CA has to be over degraded forest equal in extent of the forest area diverted, otherwise, it has to be over 10% of the forest area diverted.
- (v) In case of proposal for construction of zoobeing submitted by central Government agency, then CA will be done over the degraded forest area equivalent to 30 per cent of the total forest area being diverted. In case, the project is being submitted and constructed by State Government agencies /private agencies, then CA will be done over non-forest land equivalent to 15 per cent of total area being diverted. In such cases the non-forest land shall be transferred, mutated in the name of forest department and notified as Protected Forest/Reserved forest (PF/RF) prior to stage II approval.
- vi) In the State of Maharashtra, in lieu of diversion/regularization of encroachment over 86,409 ha. of zudpi jungle land (which has already under various non-forestry use) under Forest (Conservation) Act 1980, CA shall not be insisted by the Central Government subject to the condition that:
  - (a) the State Government will ensure the notification of 92,115 ha of Zudpi Jungle as RF/PF (16,309 ha already notified and 75,806 ha to be notified), which has been considered suitable for forestry management, development and conservation, by the High-Powered Committee.
  - (b) the State Government shall submit a 10 years perspective plan for greening of the zudpi jungle land being notified to the Ministry of Environment & Forests which may also include compensatory afforestation to be taken against future diversions of the forest lands for State Government's purpose.

**2.6. Provision for plantation of specified number of trees by way of CA in certain cases:**



- (i) In the following cases, cost of plantation (including ten years maintenance) of ten times the number of trees likely to be felled or specified number of trees as may be specified in the order for diversion of forest land (subject to a minimum no. of 100 plants), shall be levied from the user agency towards compensatory afforestation:
  - (a) Clearing of naturally grown trees in forest land or in portion thereof for the purpose of using it for reforestation,
  - (b) Diversion of forest land up to one hectare,
  - (c) Underground mining in forest land without surface rights,
  - (d) Renewal of mining lease for the forest area for which CA has already been paid,
  - (e) Diversion of forest land under the General Approval (GA) up to one hectare,
  - (f) Diversion of forest land upto 5.0 ha. in accordance with the General Approvals granted for activities carried out by Govt. Dept. in notified LWE Districts.
- (ii) In respect of diversion of forest land for safety zone around a mine, User Agency shall deposit the amount for afforestation on degraded forest land, to be selected elsewhere measuring one and a half times the area of forest land under safety zone with the State Forest Department in addition to depositing funds with State Forest Department for the protection and regeneration of the Safety Zone area. The State Forest Department shall execute the afforestation.

## 2.7 Identification of land banks for CA

- (i) The States and UTs shall create land bank for CA for speedy disposal of the FC proposals under FC Act 1980.
- (ii) In addition to non-forest land, the degraded forest land with crown density upto 40% under the administrative control of forest department may be identified using the Satellite imagery and in consultation with Forest Survey of India and will be made available for CA.
- (iii) The category of lands as specified in para 2.4 are applicable and other waste lands and non-forest lands may also be identified as land bank for the purpose of CA.

To expedite creation of land bank in a systematic manner a Committee under Chairmanship of the Principal Chief Conservator of Forests may be constituted with the Chief Wildlife Warden and representatives of revenue department in the State as members of the Committee. The committee may identify the following and other such forest areas on priority for inclusion in the land bank:

- (a) Areas falling in wildlife corridors to improve connectivity between habitats;
  - (b) Areas falling in and around the Protected Areas (PAs), eco-sensitive zone of PAs, forest areas to ensure consolidation of such areas;
  - (c) Habitat of rare, threatened and endangered species of flora and fauna to ensure long term conservation of such habitats;
  - (d) Areas falling in catchment areas of important rivers, water supply schemes, irrigation projects, hydro-electric projects etc.
- (iv) To monitor the progress of creation of land bank for CA following committee,



at each Regional Offices of the MoEF&CC will be constituted:

- (a) The Head of Regional Office - Chairman
- (b) Representatives of the National Tiger Conservation Authority (NTCA)- Member,
- (c) Representatives of the FSI-member
- (d) The Nodal Officers (FCA) of States/UTs under each Regional Offices of MoEF&CC-Members

The committee will review the progress in creation of land bank for CA in the States/UTs falling under jurisdiction of the Regional Offices and submit annual report or as and when required to the MoEF&CC.

## **2.8. Elements of Schemes for Compensatory Afforestation:**

- (i) **CA over Non-Forest Land (NFL):** Number of plants to be planted over Non-Forest Land identified for CA, shall be at least 1000 plants per hectare.

If the requisite number of plants @ 1000/ha cannot be planted on the non-forest land identified for taking up CA, then the balance number of the plants will be planted in degraded forest land as per the provisions of working plans. The State Government will intimate to the MoEF&CC the names of the R.F./P.F. in which the balance seedlings will be planted. The User Agency will deposit the cost of planting (including maintenance for ten years).

- (ii) **Scheme for CA:** The scheme for CA, to be submitted/uploaded at the time of applying for diversion of forest land for non-forest purpose, should be site specific, and include the following details: -

- a) Details of non-forest or degraded forest land, along with land kism (NF land) forest type, crown density, etc. (degraded forest) identified for raising CA.
- b) Map showing the proposed NF/degraded forest area for CA and that of the nearby forest area and map of degraded forest land proposed.
- c) Geo-referenced digital maps of CA (Polygon map with DGPS coordinates).
- d) KML file of CA site in polygon shape to be uploaded online.
- e) Detailed work schedule including year wise operations including saplings to be planted along with soil & moisture conservation, regeneration cleaning, silvicultural and other activities as prescribed in the working plan, species to be planted, including maintenance for 10 years and annual total costs in conformity with cost norms of the State/UT.
- f) Agency responsible for afforestation.
- g) Details of proposed monitoring mechanism, including infrastructural facility, if any required by the State/UT Govt.
- h) Technical and administrative approvals from the competent authority.
- i) The cumulative achievement of the State/UT Governments in respect of compensatory afforestation.



- j) Undertaking by the UA to bear the cost of raising and maintenance of compensatory afforestation, Additional CA and/or penal compensatory afforestation as well as cost for protection and regeneration of Safety Zone, etc. as per the scheme (undertaking to be enclosed).

Form of certificate of non-availability of land for compensatory afforestation in the State/Union Territory to be issued by the Chief Secretary on official letterhead

No. ....  
Date .....

### Certificate of Non-availability of Land for Compensatory Afforestation

To, .....  
Chief Secretary,  
of State/Union Territory, as per copy sent to

(i) Relevant records pertaining to non-forest land, revenue land, forest land, etc. have been examined and it is found that the land is not available for compensatory afforestation. The land is under management and administration of the Forest Department, on which the provision of Forest (Conservation) Act, 1980 is applicable, available in each district of ..... (Name of the State/UT) have been examined and

(ii) I have also conducted each further enquiry as is required in respect of land of the certificate. On the basis of examination of relevant records and such further enquiry as was required for issue of this Certificate, I do hereby certify that non-forest land, revenue land, forest land, etc. have been examined and it is found that the land is not available for compensatory afforestation. The land is under management and administration of the Forest Department, on which the provision of Forest (Conservation) Act, 1980 is applicable, which as per the guidelines of the Central Government may be utilized for creation of compensatory afforestation in lieu of forest land diverted for non-forest purpose, is not available in the entire (Name of State/UT)

Issued under my hand and seal on this ..... day of .....

Signature & Official Seal

**SAMPLE FORMAT**

**Format of certificate of non-availability of land for compensatory afforestation in the State/Union Territory to be issued by the Chief Secretary on official letterhead**

No.....

Dated.....

**Certificate of Non-availability of Land for Compensatory Afforestation**

I....., Chief Secretary.....(Name of State/ Union Territory) do hereby certify that:

- (i) Relevant records pertaining to non-forest land, revenue lands, *zudpi jungle, chhote jhar ka jungle, bade jhar ka jungle, jungle jhari land, civil-soyam lands* and all other such categories of forest lands (except the forest land under management and administrative control of the Forest Department) on which the provisions of Forest (Conservation) Act, 1980 are applicable, available in each district of..... (name of the State/UT) have been examined; and
- (ii) I have also conducted such further enquiry as is required to satisfy myself for issue of this certificate. On the basis of examination of relevant records and such further enquiry, as was required for issue of this Certificate, I do hereby certify that non-forest land, revenue lands, *zudpi jungle, chhote jhar ka jungle, bade jhar ka jungle, jungle-jhari land, civil-soyam lands* and all other such categories of forest lands (except the forest land under management and administrative control of the Forest Department) on which the provisions of Forest (Conservation) Act, 1980 are applicable, which as per the extant guidelines of the Central Government may be utilized for creation of compensatory afforestation in lieu of forest land diverted for non-forest purpose, is not available in the entire (name of State/UT)

Issued under my hand and seal on this.....day of.....

Signature & Official Seal



### Chapter 3

#### Net Present Value

3.1 In pursuance of the orders of 29<sup>th</sup> Oct 2002 of the Supreme Court in Writ Petition (Civil) No. 202/95 in addition to the funds realized for compensatory afforestation, the Net Present Value (NPV) of forest land diverted for non- forest purposes is also to be recovered from the user agencies, for undertaking forest protection, other conservation measures and related activities.

3.2 NPV is recoverable in all cases where diversion is approved on or after 29<sup>th</sup> Oct 2002 and also the cases for which in-principle clearance was granted before 29<sup>th</sup> October 2002 and final clearance after that.

3.3 In their orders of 28<sup>th</sup> March 2008, 28<sup>th</sup> April 2008 and 9<sup>th</sup> May 2008, the Apex Court decided the rates of NPV per ha. of the forest area diverted effective from 28<sup>th</sup> March 2008 for three years and subject to variation after three years, and also exemptions in specified categories of non-forest uses.

#### 3.4 NPV Rates

The rates of NPV recoverable from the User Agency with effect from 28<sup>th</sup> March 2008 depending upon the type of forest land diverted are as mentioned below:

Eco-Value class	VDF	DF	OF
	NPV (in Rs.)		
Class I	10,43,000	9,39,000	7,30,000
Class II	10,43,000	9,39,000	7,30,000
Class III	8,87,000	8,03,000	6,26,000
Class IV	6,26,000	5,63,000	4,38,000
Class V	9,39,000	8,45,000	6,57,000
Class VI	9,91,000	8,97,000	6,99,000

Eco-Class I -	Tropical Wet Evergreen Forests, Tropical Semi Evergreen Forests and Tropical Moist Deciduous Forests
Eco- Class II-	Littoral and Swamp Forests
Eco-Class III-	Tropical Dry Deciduous Forests
Eco-Class IV -	Tropical Thorn Forests and Tropical Dry Evergreen Forests
Eco-Class V -	Sub-tropical Broad-Leaved Hill Forests, Sub-Tropical Pine Forests and Sub-Tropical Dry Evergreen Forests
Eco-Class VI -	Montane Wet Temperate Forests, Himalayan Moist Temperate Forests, Himalayan Dry Temperate Forests, Sub Alpine Forest, Moist Alpine Scrub and Dry Alpine Scrub

However, for following specified areas of diversion/ projects the following rates of NPV will be applicable:

1.	Forest land falling in National Parks, if permitted in exceptional circumstances	10 times NPV for the forest area
2.	Forest land falling in Wildlife Sanctuaries, if permitted in exceptional circumstances	5 times NPV for the forest area
3.	Non-forest land falling within the National Parks and Wildlife Sanctuaries, if permitted.	NPV payable for the adjoining forest area
4.	Non-forest land falling within marine National Parks / Wildlife Sanctuaries, if permitted	5 times NPV for adjoining forest areas
5.	Re-diversion of already diverted forest land	Normal NPV for re-diverted forest land, except when such re-diversion is for the same UA and for same project (i.e. change of land use for the same project for which diversion has been approved)
6.	Mining area broken up before 25.10. 1980	Normal NPV for the forest area at the time of renewal of mining lease.

### 3.5 Exemption from payment of NPV

The following category of projects have been given exemption to the extent mentioned in the list below:

S. No.	Category	Particulars of Exemptions
1.	(i) Schools	Full exemption up to 1 ha., of forest land provided: (a) no felling of trees is involved (b) alternate forest land is not available; (c) the project is of non-commercial nature and is part of the Plan/Non-Plan Scheme of Government; and (d) area is outside any National Park or Wild Life Sanctuary.
	(ii) Hospitals	
	(iii) Children's playground of non-commercial nature	
	(iv) Community centers in rural areas	
	(v) Over-head tanks	
	(vi) Village tanks,	
	(vii) Laying of underground drinking water pipeline up to 4" diameter	
	(viii) Electricity distribution line up to 22 KV in rural areas	



2.	Relocation of villages from National Parks/Sanctuaries to alternate forest land	Full Exemption	
3.	Collection of boulders/silts from the river belts in the forest area	Full exemption provided: (a) area is outside National Park/Sanctuary; (b) No mining lease is approved/signed in respect of this area; (c) the works including the sale of boulders/silt are carried out departmentally or through Government undertaking or through the Economic Development Committee or Joint Forest Management Committee; (d) the activity is necessary for conservation and protection of forests; and (e) the sale proceeds are used for protection/conservation of forests	
4.	Laying of underground optical fiber cable	Full exemption provided: (a) no felling of trees is involved; and (b) area falls outside National Park/Sanctuary	
5.	Regularization of eligible encroachments before 22.10.1980, and conversion of forest villages into revenue villages	Full exemption	
6.	Underground mining	Surface strain predicted by 3-D subsidence prediction model	NPV
		Up to 5mm/m	NIL
		5mm to 10mm/m	10% of normal rates of NPV
		10mm/m to 15 mm/m	25% of normal rates of NPV
		15 mm/m to 20 mm/m	50% of normal rates of NPV
		more than 20 mm/m	Normal rates of NPV
7.	Other underground works requiring diversion of forest land	50% of normal rates of NPV	

8.	Grant of Petroleum Mining Lease [under P & NG Rules under Oil Field (Regulation and Development) Act 1954]	2% of the NPV for entire forest land in the mining lease.
9.	Wind Energy	50% at the minimum NPV rate provided minimal tree felling is involved, irrespective of the eco-class in which the project lies.
10.	Field firing range by the Defence Ministry not involving felling of trees and no likelihood of destruction of forests	Full exemption
11.	Small Hydro-Electric Project (upto 25 MW)	50% of the normal NPV, as granted to Wind mill energy Projects
12.	Regularization of encroachment over Zudpi Jungle land prior to 12.12.1996 (Category-II) as per the decision of the FAC dated 26.10.2017	Full Exemption
13.	Prospecting	
	Seismic Surveys	1%
	Forest area with vegetation density 0.1 to 0.4	2%
	Forest area with vegetation density 0.4 to 0.7	5%
14.	Zoo	15%

3.6 Vide their order dated 5<sup>th</sup> October 2015 the Apex Court ordered to transfer various applications for exemption from payment of NPV to the MoEF&CC for consideration in accordance with law as expeditiously as possible.

3.7 The latest ISFR of FSI may be followed for determination of density for the purpose of NPV rates.