

झारखण्ड सरकार
वन, पर्यावरण एवं जलवायु परिवर्तन विभाग

पत्र संख्या-वन भूमि-10/2021-2053 व०प०, राँची, दिनांक-26/07/2021

प्रेषक,

सुनील कुमार,
विशेष कार्य पदाधिकारी

सेवा में,

प्रधान मुख्य वन संरक्षक-सह-कार्यकारी निदेशक,
बंजर भूमि विकास बोर्ड, झारखण्ड, राँची।

विषय :- एन०टी०पी०सी० लिमिटेड के पकरीबरवाडीह कोल खनन उत्तरी पश्चिमी परियोजना हेतु 331.198 हे० वनभूमि अपयोजन का प्रस्ताव के संबंध में।

प्रसंग :- आपके कार्यालय का पत्रांक-715 दिनांक-16.06.2021

महाशय,

निदेशानुसार उपर्युक्त विषयक प्रासंगिक पत्र के आलोक में कहना है कि विषयक परियोजना प्रस्ताव हेतु FRA, 2006 के तहत उपायुक्त, हजारीबाग के पत्रांक-1309 दिनांक-09.10.2019 द्वारा मात्र 32.56 एकड़ वनभूमि हेतु निर्गत प्रमाण पत्र उपलब्ध कराया गया है।

वन प्रमंडल पदाधिकारी, हजारीबाग पश्चिमी वन प्रमंडल के पत्रांक-02 दिनांक-01.01.2021 द्वारा भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली के पत्रांक-11-43/2013-FC दिनांक-26.02.2019 के अनुसार FRA की Final Approval के समय आवश्यकता है, का मंतव्य दिया गया है। उल्लेखनीय है कि दिनांक-28.03.2019 को भारत सरकार द्वारा पूर्व के सभी दिशा निदेशों के supercede करते हुए Comprehensive Guidelines निर्गत की गई है, जिससे संबंधित अंश पत्र के साथ संलग्न है। इसके अवलोकन से प्रतीत हो रहा है कि वन प्रमंडल पदाधिकारी, हजारीबाग (पश्चिमी) द्वारा Latest Guidelines का पालन नहीं करते हुए पुराने Guidelines के आलोक में मंतव्य अंकित किया गया है।

अतः अनुरोध है कि भारत सरकार, पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय, नई दिल्ली के पत्रांक-5-2/2017-FC दिनांक-28.03.2019 द्वारा निर्गत दिशा-निर्देश के आलोक में उक्त का अनुपालन करने की कृपा की जाय।

अनु०-यथोक्त।

विश्वासभाजन

(सुनील कुमार)

विशेष कार्य पदाधिकारी

ज्ञापांक-वन भूमि-10/2021-2053 व०प०, राँची, दिनांक-26/07/2021
प्रतिलिपि-प्रधान मुख्य वन संरक्षक, झारखण्ड, राँची/अपर महाप्रबंधक (खनन), पकरीबरवाडीह कोयला खनन परियोजना, NTPC Sikri, PO-Barkagaon, हजारीबाग, झारखण्ड-825311 को सूचनार्थ एवं आवश्यक कार्रवाई हेतु प्रेषित।

विशेष कार्य पदाधिकारी

(41)

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: 28th March, 2019

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

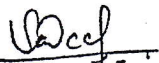
Sub: Handbook of guidelines for effective and transparent implementation of the provisions of Forest (Conservation) Act, 1980.

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 8th March 2019 onwards. The copy of comprehensive guidelines is available on Ministry's website: www.parivesh.nic.in.

This issue with the approval of competent authority.

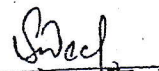
Yours faithfully,


(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.k.
17/3/19

Annexure II

Ensuring compliance to the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

The Forest (Conservation) Rules 2003 [as amended vide the Forest (Conservation) Amendment Rules 2014; Forest (Conservation) second Amendment Rules 2014; and Forest (Conservation) Amendment Rules 2016] vide Rule (3) (a) provides that after having received the proposal for diversion of forest land for non-forest purpose the Nodal Officer of the concerned State Government or the Union territory Administration, and on being satisfied that the proposal is complete in all respects and requires prior approval under the Act, shall send the proposal to the concerned Divisional Forest Officer and the District Collector.

Rule 6 (3) (e) of the above rules requires the District Collector to 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, 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 forward his findings to the Conservator of Forests.

In compliance of the above mentioned, the District Collector shall submit a certificate along with other specified documents in respect of (a) plantations that were raised on non-forest land and notified as "protected forest" on or after 13th December 1930 and located in villages having no recorded Scheduled Tribe Population as per 2001 and 2011 census; (b) linear projects involving forest land other than plantations covered in (a); and (c) projects other than linear projects and plantations covered in (a) and (b); in the formats enclosed as Form I, Form II, and Form III respectively.

Passenger Ropeway project shall be considered as linear project for the purpose of submission of evidences for having initiated and completed the process of settlement of rights under ST & OTFD (RoR) Act 2006