

F.No.11 -09/1998-FC (LWE)
Ministry of Environment, Forests and Climate Change
(FC Division)

Indira Paryavaran Bhawan
 Aliganj, Jorbagh Road
 New Delhi-110001
 Dated: 15th February, 2018

Sub: General approval under section-2 (ii) of the Forest (Conservation) Act, 1980 for diversion of forest land for creation of critical public utility infrastructure by Government Departments involving forest land upto 40 hectares of forest land and having more than 50 trees per hectare in each case in Left Wing Extremism (LWE) affected districts-reg.

I am directed to refer to this Ministry's letters of even number dated 13th May 2011 read with this Ministry's letter of even number dated 16th June 2011, 10th December 2012, 15th February 2013 and 17th May 2013 and 5th March 2014 on the above-mentioned subject, wherein this Ministry accorded general approval under Section-2 of the Forest (Conservation) Act, 1980 for diversion of forest land for creation of critical public utility infrastructure of 14 categories, specified in this Ministry's said letter dated 13th May 2011 and 5th March 2014. This Ministry vide letter of even number dated 1st February 2013 extended the said general approval to all category of public roads and quarrying of materials used in construction of public roads.

2. Now Ministry has received several representations from state governments to extend the general approval for proposals involving forest land more than 05 hectare having more than 50 trees per hectare. The matter was considered in the meeting held under the Union Home Minister on key developmental issues in LWE affected districts with Central Ministers on 29-12-2017. The following decisions were taken in the meeting:

- i. MoEF&CC to increase the limit of general approval under the Forest Conservation act 1980, from 05 hectares to 40 hectares for LWE affected districts.
 - ii. Powers for approval of linear projects i.e. Transmission lines, Railway Lines and Canals etc. in the LWE affected districts to be granted to the states.
 - iii. Validity of general approval under section 2 (ii) of the Forest Conservation Act 1980 to be extended beyond December 2018.
 - iv. The rider of 50 trees per hectare for all development works in the LWE affected areas should be removed while retaining the requirement of Compensatory afforestations.
3. In light of the decisions taken in the meeting referred above the matter was considered in the Ministry and the following decisions have been taken:
1. The general approval granted vide Ministries letter of even number dated 13th May 2011 read with this Ministry's letter of even number dated 16th June 2011, 10th December 2012, 15th February 2013 and 17th May 2013 and 5th March 2014 on the above-mentioned subject, wherein this Ministry accorded general approval under Section-2 of the Forest (Conservation) Act, 1980 for diversion of forest land for creation of critical public utility infrastructure of 14 categories, specified in this Ministry's said letter dated 13th May 2011 and 5th March 2014 for proposals involving forest land not more than 5.0 hectare with trees not more than 50 per hectare in the LWE districts in case of developmental activities

referred in these guidelines approved and executed by State Government is further extended to diversion proposals involving forest land up to 40 ha and involving more than 50 trees per hectare.

2. However, all such proposals involving more than 05 ha and/or having more than 50 trees per hectare shall be placed before a Committee to be constituted by respective State Governments under the Chairmanship of the Additional Chief Secretary / Principal Secretary in charge of Forest Department with members: the PCCF of State, concerned APCCF Regional Office of MoEF&CC, one Expert Member of the Regional Empowered Committee, at the state headquarter which will examine and approve the proposal submitted for diversion of forest land as per the provisions of the Forest Conservation Act and FCA Rules made thereof with amendment and guidelines issued by the Ministry from time to time.
3. The constitution of such committee shall be communicated to the Ministry. The state government shall send the report of such diversion undertaken under this dispensation to the Regional office every month.
4. It has been decided that the state Government shall provide in the proforma given below the details of all forest diversion granted by the State Government under the general approval granted vide above referred letters up to December 2017 and in future on monthly basis for review of the general approval granted under Forest Conservation Act and mitigation measures undertaken by the State Government.

Date of approval	Details of proposal including location along with proposal number	Area diverted (ha)	Number of trees felled	Compensatory afforestation (ha/ number of plants) undertaken with location	NPV and other compensatory Levies collected and deposited in CAMPA fund (Rs)	Remark

5. The validity of general approval under section 2(ii) of FC Act 1980, which was extended upto 31st December 2018 vide guideline dated 28th February 2016 on request of the State Government has been further extended up to 31st December, 2020.

This issues with the approval of competent authority

(Nisheeth Saxena)

Sr. Assistant Inspector General of Forests

Copy to:

1. The Secretary, Ministry of Home Affairs, Government of India, New Delhi.
2. Secretary, Ministry of Road Transport and Highways, Government of India, New Delhi.
3. Delhi.

4. The Secretary (Coordination), Cabinet Secretariat, New Delhi.
5. The Member-Secretary, Planning Commission, Government of India New Delhi.
6. The Secretary, Ministry of Rural Development, Government of India, New Delhi.
7. Secretary, Department of Health and family Welfare, Ministry of Health and Family Welfare, Government of India.
8. Principal Chief Conservator of Forests, all State/UT Governments.
9. Nodal Officer, the Forest (Conservation) Act, 1980, all State/UT Governments.
10. All Regional Offices, Ministry of Environment & Forests.
11. Joint Secretary in-charge, Impact Assessment Division, MoEF&CC.
12. Dy, Inspector General of Forests (FC) and all Assistant Inspector General of Forests/Directors in the Forest Conservation Division, MoEF&CC.
13. Director R.O. (HQ), Ministry of Environment & Forests & CC, New Delhi.
14. Sr. Director (Technical), NIC, MoEF&CC with a request to place a copy of the letter on website of this Ministry.
15. Private Secretaries of Hon'ble Minister Environment, Forests and Climate Change
16. Private Secretaries of Hon'ble Minister of State Environment, Forests and Climate Change
17. Sr. PPS to the Secretary, Environment and Forests.
18. Sr. PPS to the Director General of Forests & Special Secretary, MoEF&CC.
19. Sr. PPS to the Addl. Director General of Forests (Forest Conservation), MoEF&CC.
20. Guard File.

(Nisheeth Saxena)

Sr. Assistant Inspector General of Forests