

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

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi-110003

Dated: August, 2023

To

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

Sub: Provisions and guidelines on compensatory afforestation - reg.

Madam/Sir,

I am directed to refer to this Ministry's letter of even number dated 13.06.2023 on the above subject and to say that during an inter-ministerial review of the provisions relating to compensatory afforestation, it has been observed that during the last year after the enactment of Forest (Conservation) Rules, 2022, the Ministry has issued guidelines on the compensatory afforestation. Scattered information on compensatory afforestation in rules and guidelines makes it inconvenient for the users to comprehend the provisions efficiently, it has therefore, been desired that a consolidated provisions of the compensatory afforestation may be compiled and issued by the Ministry to enable the users to understand and apply them conveniently.

The matter has also been considered by the Advisory Committee in its meeting held on 17.07.2023 and the Committee observed that the Forest (Conservation) Rules, 2022 and guidelines dated 13.06.2023 issued by the Ministry provides for enabling provisions for raising compensatory afforestation in various lands. The Central PSU and State Government undertakings can raise over degraded forest land provided no acquisition of non-forest land is involved. As per the enabling provisions already been provided by the Ministry to raise CA over various lands, including degraded forest land and Accredited Compensatory Afforestation lands, the consolidated guidelines have been concurred and recommended by the Advisory Committee. Minutes of the meeting of the Advisory Committee may be accessed at <https://parivesh.nic.in>.

Based on the recommendation of the Advisory Committee and approval of the same by the competent authority of the MoEF&CC, new Delhi, the Central Government hereby issues the consolidated guidelines on raising compensatory afforestation as annexed herewith.

This issues with the approval of the competent authority.

Encl: As above.

Yours faithfully,

(Charan Jeet Singh)
Scientist 'D'

Copy to:

1. The Principal Chief Conservator of Forests, All State Govts./UTs
2. The Dy Director General of Forests, All Regional Offices of the MoEF&CC
3. The Nodal Officer (FCA), O/o the PCCF, All State Govts./UTs
4. Monitoring Cell, FC Division, MoEF, New Delhi
5. Guard File

Annexure**Consolidated Guidelines on raising compensatory afforestation in lieu of diversion of forest land under the Forest (Conservation) Act, 1980**

1. Provisions given under sub-rule (1) rule 11 of the Forest (Conservation) Rules, 2022, provides that primarily, the compensatory afforestation, in lieu of forest land proposed for diversion, has to be raised over equivalent non-forest land which is not under the management and administrative control of the Forest Department.
2. The non-forest lands afforested as per the provisions Accredited Compensatory Afforestation scheme i.e. patch of non-forest land involving minimum area of 10 ha with 0.4 vegetation density and minimum five years old afforestation can be used as CA in lieu of diversion of forest land. In case of lands owned by the Government agencies, such lands containing ACA be notified without transferring and mutating their ownership. Revenue, if any, earned from such lands from various operations such as thinning, felling, and selling of carbon credits and other benefits will also accrue to the land owning agency. Existing plantation which meets the criteria of ACA can also be swapped for CA in lieu of diversion of forest land.
3. The State Government/UT Administrations may create a Land Bank of non-forest lands with minimum size of 25 ha under the administrative control of the Department of Forest. In case, the Land Bank is in continuity of a land declared or notified forest land, Protected Area, Tiger Reserve or within a designated tiger corridor or a designated/ identified wildlife corridor, there shall be no restriction on size of the land. The lands covered under accredited compensatory afforestation may be included in the Land Bank.
4. In case of non-availability of the non-forest land, the CA can also be raised over the following lands subject to conditions prescribed therein:
 - i. Revenue forest lands i.e. land recorded as forest in the Government records but not notified as forest under any law and not managed by the Forest Department viz. revenue lands/zudpi jungle/chhote/bade jhar ka jungle/jungle-jhari land/civil-soyam/orange lands and all other such categories of forest lands. Such lands 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. These lands shall be notified as Protected Forests (PF) under the Indian Forest Act, 1927 or local Acts prior to Stage-II approval.
 - ii. In case the non-forest land or portion thereof provided by the user agency is not fit for raising compensatory afforestation of a specified density, then additional compensatory afforestation shall be raised on a degraded notified or unclassed forest land under the management control of the Forest Department which is twice in size of such shortfall in the given compensatory afforestation land and the user agency shall also bear the additional cost on such account. However, if the non-forest land being made available for compensatory afforestation already bears vegetation of 0.4 canopy density or more, there shall not be an additional requirement of planting of trees on such

- land but a programme for improvement of the forest crop shall be implemented by the Forest Department in a time-bound manner.
- iii. Non-forest land identified for raising compensatory, contiguous to forest land, located in the wildlife corridors and Protected Areas will incentivized as per the provisions provided in the Schedule-I of the Forest (Conservation) Rules, 2023.
 - iv. In exceptional circumstances, when the suitable non-forest land for raising compensatory afforestation is not available and a certificate to this effect is given by the State/UT Government, the compensatory afforestation may be considered on degraded forest land, which is twice in extent to the forest area proposed for diversion in favour of Central Public Sector Undertaking and for captive coal blocks of State Public Sector Undertaking on case to case basis. However, this relaxation will not be available in case the project of Central Government undertaking or State Government undertakings involves acquisition of non-forest land by the respective agencies.
 - v. Compensatory afforestation can be raised over the degraded forest land, double in extent to the forest land being diverted, in respect of transmission line proposals where no acquisition of non-forest land is involved. An undertaking stating that no acquisition of non-forest land is involved in the transmission line project will be submitted by the user agency while applying for diversion of forest land.
 - vi. In cases, where due to scarcity of land and/or on account of any other valid reason, it is not possible to raise compensatory afforestation in the same State/UT where diversion of forest land is proposed, the Ministry, in public interest, may allow, on case to case basis, compensatory afforestation in other States/UTs.
 - vii. In the States/UTs, having forest area more than 33% of their total geographical area, the compensatory afforestation can 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 raising compensatory afforestation will be accepted by the Central Government only on the basis of a certificate of the State Government /Union territory Administration to that effect in the prescribed format.
 - viii. In Arunachal Pradesh, Degraded Unclassed Forests (USF) shall be considered for CA provided such land proposed for CA shall be double in extent of area proposed for diversion. Such land shall be transferred and mutated in the name of State Forest Department and notified as 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.
 - ix. Waste lands of Himachal Pradesh, which come under the category of Protected Forests but have neither been demarcated on the ground nor transferred and 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 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.

5. In the following categories of proposals, cost of plantation 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. Re-diversion of forest land within the RoW of roads which have already been diverted for non-forestry purposes and are located outside the Protected Areas. In case, the proposed area falls in the RoW of the road passing through Tiger Reserves, General Approval is subject to requisite permissions from the Standing Committee of the State Board for Wildlife.
6. In respect of diversion of forest land for safety zone along around a mine, User Agency shall deposit the amount for afforestation on degraded forest land, to be selected elsewhere measuring one and a half time 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 scheme. These provisions will not be applicable, in case the area of safety zone is located within the lease area or area proposed for diversion and land identified for raising compensatory afforestation, non-forest land or degraded forest land, also includes the CA area in lieu of forest land located in the safety zone.
7. Any degraded forest land for the purpose of CA, selected by State Government as per above provisions, may be accepted by MoEF&CC only if the crown density of the area is below 40 percent.
